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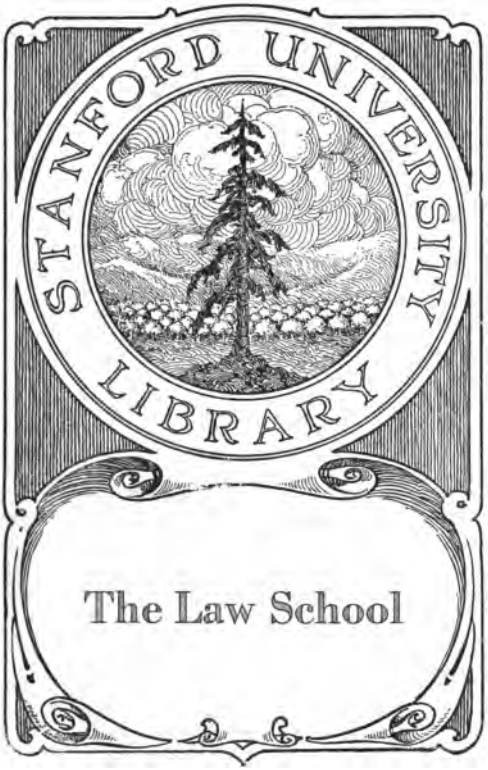
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ACTS

OF

THE STATE OF TENNESSEE,

PASSED BY THE

FORTY-FIRST GENERAL ASSEMBLY.

1879.

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PUBLIC ACTS

OF THE

General Assembly of the State of Tennessee

PASSED BY THE FIRST SESSION OF THE

FORTY-FIRST GENERAL ASSEMBLY,

Which was Begun and Held at Nashville on the First Monday in January, in the Year of our Lord One Thousand Eight Hundred and Seventy-Nine.

CHAPTER I.

AN ACT to Amend Section 1 of Chapter 28 of the Acts of 1868-9 and to reduce the compensation of the Governor.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That section 1 of chapter 28 of the Acts of 1868-9, being section 193*a* of Thompson and Steger's Code, be so amended as to read that the salary of the Governor of the State of Tennessee, shall be three thousand dollars per annum, payable quarterly, out of the Treasury of the State, on the warrant of the Comptroller. Governor's Salary.

SEC. 2. *Be it further enacted,* That this Act take effect from and after the expiration of the term of office of the existing Governor, at the date of its final passage.

Passed January 13,1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved January 17, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER II.

AN ACT to change and fix the compensation of the Judges of the Supreme Court.

Supreme Court Judges' salary.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the salary of the Judges of the Supreme Court, hereafter elected or appointed, shall be three thousand dollars per annum, payable quarterly out of the Treasury of the State, on the warrant of the Comptroller.

SEC. 2. *Be it further enacted,* That so much of section one, of chapter twenty-eight, of the Acts of 1868–9, as is in conflict with this Act, be, and the same is hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed January 22, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved January 25, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER III.

AN ACT to fix the compensation of Judges and Chancellors.

Judges' salaries.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That each Chancellor, Circuit and Criminal Court Judge (except County Judges) and Judges of special courts, hereafter appointed or elected, shall be entitled to a salary of two thousand dollars per annum.

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SEC. 2. *Be it further enacted*, That so much of an Act passed January 30, 1867, now section 4539*a* of the Revised Code of Tennessee, fixing the compensation of Judges and Chancellors, as is in conflict with this Act, be, and the same is hereby repealed, and that this act take effect from and after its passage, the public welfare requiring it.

Passed January 24, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved January 27, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER IV.

AN ACT to repeal an Act passed January 24, 1871, allowing the Secretary of the State to employ a clerk at a salary of one hundred dollars per month, at the expense of the State.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Act passed January 24, 1871, being section 4528*b* of Thompson and Steger's Code, and which allows the Secretary of State to employ a clerk at the expense of the State, be, and the same is hereby repealed.

Secretary of State Clerk's Salary repealed.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed January 25, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved January 27, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER V.

AN ACT to authorize Municipal Corporations to regulate the use and structure of public buildings, with a view to the public safety.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall be the duty of the corporate authorities of any city or town, in which there is located any public hall, for theatrical purposes, or other house kept open for public entertainment, to thoroughly examine the same, through its Board of Fire Inspectors, and ascertain if such buildings are provided with all the necessary safe guards against accident by fire or panic, including suitable appliances for the prompt extinguishment of fires, and sufficient passages, inlets and outlets to said building.

Public buildings to be made safe against fire or panic.

SEC. 2. *Be it further enacted*, That whenever in the opinion of said corporate authorities, after due inspection through its Board of Fire Inspectors, any building now in use, or that may hereafter be erected, is deficient in any particular, deemed essential to the preservation of life or property, it shall be the duty of said authorities to require the owners or proprietors of such buildings to make such alterations as will be promotive of the public safety.

SEC. 3. *Be it further enacted*, That hereafter it shall be the duty of all persons proposing to erect buildings for theatrical purposes, or for the purpose of any public entertainment, within the corporate limits of the city or town, to first submit to the proper municipal authorities, the plan and specifications of the proposed structure, and if in the opinion of said authorities, the same shall be considered dangerous, it shall be lawful for said authorities to withhold a permit for the erection of said building until the proper precautionary measures shall have been adopted.

SEC. 4. *Be it further enacted*, That any owner or proprietor of any theatre or other public building used for public entertainment, now in use or that may hereafter be erected, who shall fail or refuse to make the necessary alterations in said building, or who shall fail to provide the proper protection against fire or panic, after having been duly notified thereunto in writing, shall forfeit his or their license, and it shall be lawful for said corporate

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authorities to close said house until the law shall be observed.

Adopted January 25, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved January 28, 1879.

ALBERT S MARKS,
Governor.

CHAPTER VI.

AN ACT to amend an Act, to establish and maintain a uniform system of Public Schools, passed March 6, 1873, and approved March 20, 1873.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That section 30 and line three of an Act passed March 6, 1873, and approved March 20, 1873, entitled "An Act to establish and maintain a uniform system of Public Schools," be and the same is hereby amended, so that it will read "twenty-one" instead of "eighteen," before the word years. Age of pupils in public schools.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Adopted January 25, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives
J. R. NEAL.
Speaker of the Senate.

Approved January 28, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER VII.

AN ACT to prohibit the several Counties and County Courts in this State and the Justices of the Peace and other public officers of said counties, from levying or collecting taxes, or making or collecting any assessments for the purpose of paying any obligation or indebtedness, which said Counties or County Courts may have incurred without authority of law, or in violation of the Constitution of this State.

Certain County debts not to be paid.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That none of the several counties or County Courts in this State, nor any one or more of the Justices of the Peace, of any county in this State, shall hereafter have any power or authority whatever to levy, vote, assess, impose or collect any tax or assessment, of any name, or kind or description, upon any real, personal or mixed property, or upon any polls, privileges or other subjects of taxation, for the purpose of paying any bonds, obligations, notes, promises to pay, or any other printed or written evidences of indebtedness in any case whatever, where such bonds, obligations, notes, promises to pay, or other written or printed evidences of indebtedness on the face thereof, or otherwise disclose the fact, or it shall otherwise appear that such bonds, notes, obligations, promises to pay, or other written or printed evidences of indebtedness, were issued by any one of said Counties, or by the County Courts thereof, or by the Justices of the Peace thereof, or by any other person or persons or pretended authority of such county, in pursuance of any authority or pretended authority conferred on such County, or County Courts or Justices of the Peace, or other persons by virtue of any statute or acts of the General Assembly of the State of Tennessee, which statutes or acts of the General Assembly have been decided and adjudged by the Supreme Court of said State, to be unconstitutional, null and void.

SEC. 2. *Be it further enacted,* That the inhibition on said Counties, County Courts, Justices of the Peace, and other persons, by the first section of this Act, shall apply to and embrace all judgments and decrees, which have been obtained or recorded, or which may be hereafter obtained or recorded, against any of said counties, upon any bonds, obligations, notes, promises to pay, or other written or printed evidences of indebtedness, which may

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have been issued by any of said Counties, or County Courts, or Justices of the Peace, under, or by virtue of any statutes or Acts of the General Assembly of said State, which statutes or Acts of the Assembly have been adjudged and decided by the Supreme Court of Tennessee, unconstitutional, null and void.

SEC. 3. *Be it further enacted,* That this Act shall take effect from and after its passage, the public interest requiring it.

Passed January 27, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved January 29, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER VIII.

AN ACT to regulate and equalize the salaries of certain public officers.

WHEREAS, In some of the counties of the State, clerks of courts and the other officers, are receiving from the fees of office as allowed by law, and from business incident to their office, by reason of which they secure appointments, the gift of courts, and other appointing powers, sums greatly in excess of that allowed the Governor, or any of the Judges of the State; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That no Clerk of the Supreme Court, Clerk and Master of the Chancery Court, Clerk of the Circuit Court, Clerk of the Criminal Court, Clerk of the County Court, Trustee or Collector of Revenue, Register of Deeds, District Attorney for the State, or Secretary of State, shall receive directly or indirectly from the fees, emoluments or perquisites of his office, nor as Commissioner, Trustee or Receiver, or from any position or place of trust or employment to which he may be appointed by any Court or Judge, any sum greater than two thousand dollars per annum.

Salaries of public officers.

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SEC. 2. *Be it further enacted,* That every clerk or other officer enumerated in the first section of this Act, shall be required to make, under oath, and file with the Comptroller, if a State officer, and with the County Judge or Chairman, if a county officer, on the first Mondays of January and July of each year, a true exhibit of all fees, emoluments and perquisites of office, trust or employment of office, received by him for services performed as such officer, for the previous half year, and shall pay over to the State Comptroller, if a State officer, and to the County Trustee, if a county officer, any amount so in excess of said sum, two thousand dollars, no matter whether said sum arises from fees, emoluments or perquisites, or order or direction of Court as allowed by law, or for pay for services as Special Commissioner, Trustee, Receiver or otherwise.

To file statements of receipts every six months.

SEC. 3. *Be it further enacted,* That any officer who shall directly or indirectly, evade the spirit of this Act, by connivance with any person or persons, or otherwise in any manner, shape or form, evade the same by making out an incorrect report, shall be deemed guilty of a misdemeanor, and for such offence, upon condition, shall be fined not less than five hundred nor more than one thousand dollars, which shall go to the common schools in this State, and the office shall be declared vacant.

Penalty.

SEC. 4. *Be it further enacted,* That the Comptroller be and he is hereby authorized to employ a clerk at a salary not to exceed one thousand dollars per annum.

Comptroller to employ clerk.

SEC. 5. *Be it further enacted,* That whenever, in the opinion of the Judges of the Supreme Court, Chancellors of the Chancery Courts, Circuit and Criminal Judges, Judges or Chairmans of the County Courts, the duties devolving upon their respective clerks is more than they can perform by devoting their entire time and attention thereto, they may authorize such clerks to appoint one or more deputies as the exigencies of the case may require, who shall be paid out of the surplus fees of such clerk, at the rate of not more than seventy-five dollars per month for one, and fifty dollars per month each for all others, said authority and appointment to be entered of record in the minutes of the Court; *Provided* the Judges of the Supreme Court shall not authorize their clerks to employ more than three deputies, and in counties having a population of over fifty-five thousand, under the Federal census of 1870, there may be allowed four deputies, for the Chancery and County Courts, and two deputies for the Circuit, Criminal and

Courts to order clerk's deputies

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Special Courts; *Provided, further*, that in counties having a population under said census of between twenty-four and fifty-five thousand, they may be allowed one deputy, and in counties having a population of less than twenty-four thousand under said census. there shall be no deputy allowed, unless said deputies are paid out of the amount allowed the clerks, under the first section of this Act. Number of deputies.

SEC. 6. *Be it further enacted*, That whenever, in the opinion of the Judges or Chairman of the County Courts, the duties devolving upon the Trustee or Collector of Revenue of their respective counties, is more than they can perform by devoting their entire time and attention thereto, they may authorize such Trustee or Collector of Revenue to appoint one or more deputies, as the exigencies of the case may require, who shall be paid out of the surplus fees of such offices at the rate of not more than seventy-five dollars per month each, and who shall hold their office only from the first day of November to the first day of May in each year, which authority and appointment shall be entered of record in the minutes of the Court; said appointees to be removed whenever in the opinion of the Judge or Chairman, their services can be dispensed with; *Provided*, That in counties having a population of over fifty-five thousand, under the Federal census of 1870, there may be allowed two deputies, and *provided further*, that in counties having a population, under said census, of between twenty-four and fifty-five thousand, there may be allowed one deputy, and in counties having a population of less than twenty-four thousand, under said census, there shall be no deputy allowed, unless said deputies are paid out of the amount allowed the Trustee, under the first section of this Act. Trustee's deputies.

SEC. 7. *Be it further enacted*, That whenever, in the opinion of Judges having exclusively criminal jurisdiction of courts in this State, the business of their respective courts shall require such an officer, the Attorney General of such court shall have the power to appoint an assistant Attorney General, who shall be paid a salary not to exceed one hundred dollars per month, to be paid out of the surplus fees of the office of the Attorney General. Assistant Attorney General.

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SEC. 8. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed January 29, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved January 30, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER IX.

AN ACT to amend an Act to more cheaply collect the State, County and Municipal Revenue; passed March 23d, 1875.

Deferring collections.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That lines the 2d and 3d of Section the 5th of an Act to more cheaply collect the State, County and Municipal Revenue, be so amended as to read the 1st Monday of the 10th month, instead of the 1st Monday of the 3rd month, excepting all municipal corporations of not less than twenty thousand nor more than fifty thousand inhabitants, by the last census of the United States.

Bond of Trustees.

SEC. 2. *Be it further enacted*, That the said County Trustees, before proceeding further to collect said taxes, together with their securities, shall appear before the County Courts of their respective counties and acknowledge, in writing, their willingness to be bound under the terms and conditions of their bonds for the collection of said taxes, and in case they refuse so to appear and acknowledge their liabilities anew, then said Trustee is to enter into a new bond for the faithful performance of his duties; *Provided, however*, that if any Trustee shall fail or refuse to renew his bond, or give a new one, as hereinbefore provided, then, in such case, said office of Trustee shall be declared vacant, and the County Court shall pro-

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ceed at once to fill the vacancy as required by law; *Provided further*, that said Trustees shall renew their bonds or give new ones as hereinbefore provided, on or before the first Monday in March, 1879. To fill vacancies

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed January 29, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved January 31, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER X.

AN ACT to repeal the Charters of certain Municipal Corporations, and to remand the Territory and Inhabitants thereof to the Government of the State.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an Act passed December 1, 1869, entitled "An Act to Reduce the Charter of the City of Memphis, and the several Acts amendatory thereof into one Act," being Chapter 26 of the Private Acts of 1869 and 1870; also Chapter 47, to the Public Acts of 1873, entitled "An Act to amend the Charters of all incorporated towns and cities in the State," passed March 18, 1873; also, an Act entitled "An Act to Incorporate the Town of Memphis," passed December 9, 1826; also an Act entitled "An Act to extend the limits of the Corporation of the Town of Memphis, and for other purposes," passed October 19, 1832; also, an Act entitled "An Act to Amend the several Acts incorporating the Town of Memphis," passed December 7, 1843; also an Act entitled "An Act to Reduce the several Acts incorporating the Town of Memphis into one Act, and to amend the same," passed January 11, 1848; also, an Act entitled an act to incorporate into one Act the several acts incorporating the City of Memphis and the Town Repealing charters, etc., City of Memphis.

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of South Memphis," passed January 6, 1846, and January 21, 1848, and to "unite the said towns into one, and extend the boundaries thereof," passed December 3, 1849; also, the section of an Act entitled "An Act to amend an Act entitled An Act to Incorporate the Town of Tazwell," passed January 2nd, 1830, passed January 28th, 1852; also, an Act entitled "An Act to Amend the Charter of the City of Memphis," passed February 29, 1856; also an Act entitled "An Act to Amend the Charter of the City of Memphis, and for other purposes," passed February 20, 1860; also, an Act entitled "An Act to Amend the Charter of the City of Memphis," passed November 24, 1866; also, an Act passed in amendment of the foregoing Acts, and also any other Acts creating into a body politic and corporate the inhabitants of a certain territory lying within the county of Shelby, by the name of the City of Memphis, the Mayor and Aldermen of Memphis, or other corporate name whatever, or Acts amending the said Acts of incorporations be, and the same are hereby, each and every of them, repealed, and all offices created and held under any by virtue of any of said Acts are abolished.

SEC. 2. *Be it further enacted*, That the Charters and amendments thereof of all municipal corporations within the State having a population of 35,000 inhabitants or over, by the Federal census of 1870, be, and the same is hereby, repealed, and all municipal offices held under them are abolished.

General Application.

SEC. 3. *Be it further enacted*, That the charters and amendments thereof of all municipal corporations within this State having 35,000 inhabitants or over, at the date of the passage of this Act, be, and the same are hereby, repealed, and all municipal offices held thereunder are abolished. The Governor of the State will ascertain and declare, by proclamation, to what corporations this section applies; said proclamation shall be conclusive evidence of its truth, and shall be made within ten days from the passage of this Act.

Amend Act 1875

SEC. 4. *Be it further enacted*, That all of the sections from Section 33 to Section 80, both inclusive, of an Act entitled "An Act to regulate and organize Municipal Corporations of certain population, and for the increase and diminution of their powers," Chapter 92, approved 23d March, 1875, and all other Acts and parts of Acts in conflict with this Act, be, and the same are hereby, repealed; all the other sections of said Chapter 92, and especially Section 81 of said chapter, being left in full

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force; and the population within the territorial limits as now defined, and the territory of all municipal corporations heretofore governed under and by virtue of said repealed Sections 33 to 80 inclusive, are hereby resolved back into the body of the State, and all offices held under and by virtue of said repealed sections are hereby abolished; and all power of taxation in any form whatever, heretofore vested in or exercised by the authorities of said municipal corporations by virtue of any of the Acts of incorporation hereinbefore recited, or otherwise, is forever withdrawn and reserved to the Legislature; and the public buildings, squares, promenades, wharfs, streets, alleys, parks, fire-engines, hose and carriages, horses and wagons, engine-houses, engineer instruments, and all other property, real and personal, hitherto used by such corporations for municipal purposes, are hereby transferred to the custody and control of the State, to remain public property, as it has always been, for the uses to which said property has been hitherto applied. And no person holding office under and by virtue of any of said repealed sections, or any of the Acts above recited, shall, from and after the passage of this Act, exercise, or attempt to exercise, any of the powers or functions of said office.

SEC. 5. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed January 29, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved January 31, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER XI.

A BILL to establish Taxing Districts in this State and to provide the means of local government for the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the several communities embraced in the territorial limits of all such municipal corporations in this State, as have had, or may have their char-

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Creating Taxing Districts.

ters abolished, or as may surrender the same under the provisions of this Act, are hereby created taxing districts, in order to provide the means of local government for the peace, safety and general welfare of such districts.

Taxes for same.

SEC. 2. *Be it further enacted*, That the necessary taxes for the support of the governments thus established, shall be imposed directly by the General Assembly of the State of Tennessee, and not otherwise. In administering the affairs, and for providing the means of local government in said districts, the following agencies and governing instrumentalities are hereby established:

1st. A Board of Fire and Police Commissioners to be selected and qualified in the manner hereafter provided.

Board Fire and Police Commissioners.

2nd. A Committee on ordinances or local laws—to be known as the "Legislative Council of the taxing district," and which shall consist of the Commissioners of the Fire and Police Board, and the Supervisors of the Board of Public Works.

Board Health.

3rd. A Board of Health, to consist of the Chief of Police, a health officer, and one physician, who shall have been in active practice for the period of five years, next preceding his appointment, who shall be an inhabitant of the taxing district, and for five years a resident of the county, and who shall be *ex-officio* President of the Board.

Board Public Works.

4th. A Board of Public Works, to consist of five Supervisors of Public Works, three of whom shall be chosen by the qualified voters of the people of the taxing district, and two appointed as hereinafter provided, and shall serve for a term of two years.

Powers local government.

SEC. 3. *Be it further enacted*, That the local government established by this Act shall have power to establish work-houses and houses of correction, to declare by local laws, what acts shall be misdemeanors, and when committed within the taxing district, to punish the offenders by fines and forfeitures, and by imprisonment and labor, within and without the work-house, in default of payment of the fines imposed as punishment; to cause the arrest of all vagrants, tramps, and drunken and disorderly persons, within the taxing district, and provide for the punishment of the same in the manner above provided; to prohibit by fine the introduction of paupers into the taxing district by steamboats, railroads, or other carriers of persons; to regulate and suppress disorderly houses and houses of ill fame; to regulate and suppress gaming houses, and punish gaming by fine and imprisonment; to arrest and confine for trial, or take forfeit for the appearance for trial, of all persons charged with offenses which

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are punished as misdemeanors by the laws of the taxing district.

All necessary Judicial Authority is hereby vested in the President of the Board of Fire and Police Commissioners, to hear and determine all cases of offenders against the ordinances or local laws of said taxing district, and to impose fines, or to commit such offenders when found guilty under the said ordinances or local laws of said taxing district, said governments shall have the power to pass all laws to preserve the health of the taxing district; to define, prevent and remove nuisances within the taxing district, and for a distance of one mile outside of the same; to make quarantine laws and enforce the same within ten miles of the taxing district; to prevent the introduction of contagious diseases into the taxing district; to establish and regulate hospitals in accordance with the present laws of the State; to prohibit the erection of soap factories and slaughter pens, or factories or houses for curing green hides, and all houses of like character. They shall have power, and it shall be their duty to condemn as nuisances all buildings, cisterns, wells, privies, and other erections in the taxing district, which, on inspection, shall be found to be unhealthy, and to cause the same to be abated, unless the owners thereof, at their own expense, upon notice, shall reconstruct the same in such manner as shall be prescribed by the laws of the taxing district; and as all buildings, cisterns, wells, privies, and other private improvements to be constructed in future, they shall have the power, and it shall be their duty, to have the same so constructed as not to interfere with the health of the taxing district. They shall have power, and it shall be their duty, to provide that the taxing district is from day to day, and every day, kept in a clean and healthy condition; that the yard and premises of every occupant of any dwelling, out-house, office, store, shop, or other place of business, including the cellars, and other places having unhealthy material, are cleaned and so kept by such occupant every day, at his own expense; and to prohibit by proper laws and penalties every such occupant from throwing or putting any trash or improper material in the streets, alleys or side-walks, except for the purpose of removal; to require such occupant, daily, to deposit all unhealthy material in the street near by, in some suitable vessel, to be provided by the occupant at his or her own expense, to be carried off by the public carts, and rendered harmless; to compel lot owners to make safe and proper side-walks of brick

Judicial authority vested in President.

General powers.

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or plank adjoining their lots; to designate and establish fire limits, within which wooden building shall not be erected; to prevent the erection of building dangerous to other improvements, and to remove them when erected without their consent; to regulate the manner of building of partition walls, parapet walls and partition fences; to regulate fire-works, stove-pipes, and flues in all shops, kitchens, and other like places; to regulate the keeping and storage of gunpowder, coal oil and other combustible articles, and to prevent the same from being stored within the limits of the taxing district, or within one mile of the same; provided, that side-walks shall not be required to be laid down on any street until the same has been graded, curbed and guttered with brick or stone, by the Board of Public works. They shall have power to make, preserve and improve steam-boat and flat boat landings, and all wharves within the taxing district; to regulate the anchorage and mooring of boats and other water crafts at landings in the taxing district, and to prohibit or regulate wharf boats; to establish inspection laws, for the inspection, weigning and measuring of all kinds of provisions, provender and fuel for man and beast, and to provide for the gauging and inspection of all kinds of liquors and illuminating oils, but no charge shall be made for testing of any measure, article or vessel for which a fee has once been paid to any officer acting under and by authority of this Act, and having on said measure, article or vessel a stamp or brand of an inspection officer. To permit and regulate the laying of railroad tracks or iron, and the passage of railroad cars through the taxing district, and to remove such railroad track if it obstructs travel or does not conform to the laws of the taxing district; to make all suitable and proper regulations in regard to the use of the streets for street cars, and to regulate the running of the same, so as to prevent injury or inconvenience to the public, to forbid the opening and digging up of the streets by gas or water companies to the public detriment; to regulate wells, cisterns, hydrants, and fire-plugs, and to convey water into the taxing district from the vicinity; to establish and regulate markets and market houses; to make provisions for lighting streets, alleys and other public places in front of churches, jails and other public buildings in the taxing district, and to erect all necessary public buildings; to repair, and keep in repair, streets, side-walks, and other public grounds and places in the taxing district; to open and widen streets, to change the

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location or close the same, and to lay off new streets and alleys when necessary; and to have and exercise entire control over all streets and other public property of the taxing district, as well that within as without the taxing district. And they shall have power over all other affairs in the taxing districts in which the peace, safety or general welfare of the inhabitants is interested.

SEC 4. *Be it further enacted,* That the Legislative Council, as established in Section 2 of this Act, shall be vested with the power and charged with the duty of making all laws or ordinances not inconsistent with the general laws, for every object, matter and subject within the local governments instituted by this Act. Said Council shall convene, when required to do so by the Chairman of the Board of Fire and Police Commissioners; shall have power to elect a presiding officer, to adopt rules for the government of its proceedings, and may adjourn and meet at its pleasure. The Secretary of the Board of Fire and Police Commissioners shall act as Secretary of the Council, record its proceedings, and preserve its records and documents; he shall also be Clerk of the Board of Public Works. The powers of the Legislative Council are restricted to the business alone of making ordinances or local laws, for the taxing district, except as hereinafter provided.

Legisl'tive Council's powers.

SEC. 5. *Be it further enacted,* That the Board of Fire and Police Commissioners shall consist of three Commissioners, who shall be at least thirty years of age, residents of the county at least five years before their appointment and election, and tax-payers of the taxing district. Two of said Commissioners shall be appointed by the Governor of the State, by and with the advice and consent of the Senate, and one shall be elected by the qualified voters of the tax-paying district, at an election to be held by the Sheriff of the county for the purpose, as other popular elections are held; they shall hold their offices for a term of two years. The Commissioner appointed by the Governor shall be President of the Board of Fire and Police Commissioners, and shall be the chief executive officer of the taxing district. He shall receive a salary of $2,000 per annum, and shall devote his entire time and attention to the duties of his office.

Commissioner's requisites and appointment of.

President of Board.

Salary of President.

Each of the Commissioners shall receive a salary of $500 per annum. After the expiration of the term of the Board of Commissioners first selected, their successors shall be elected by the qualified voters of the district.

Salary of Commissioners.

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Time of appointment, &c.

Powers and duties of.

The Governor shall appoint within ten days after the passage of this Act; the quarterly Court shall elect at its first term thereafter; and the Sheriff shall, as soon as this Act passes, give notice and hold an election for the other Commissioner. *Provided,* however, that when the charter of any municipal corporation shall not have been abolished or surrendered at the time this Act takes effect, then said appointments and said election shall take place as soon as practicable after the abolition or surrender of the charter. If the Senate is not in session at the time of the appointment, the Governor shall make the appointment, and the Commissioner so appointed shall act in the interim until the next meeting of the Senate, when his name shall be submitted for ratification. The Commissioner appointed by the Governor may be removed for malfeasance in office, and any vacancy occurring in the office of said Commissioner from any cause, may be filled by the Governor *ad interim.* Said Commissioners shall establish rules for their own government, and shall hold stated meetings for the transaction of business, and may employ a Secretary to keep a full record of all their prooeedings, at a salary not exceeding $800 per annum. Each member of said Board of Fire and Police Commissioners shall give bond in the sum of twenty thousand dollars, for the faithful discharge of his duty, and he shall not be, when appolnted or elected, in arrears for any taxes. Each Commissioner, before entering upon his duty shall take an oath that he is not under any direct or indirect obligation to appoint any person to the office of policeman, or fireman or other employes, that he will faithfuly discharge the duties of the office. The said Police Commissioners, any two assenting, shall have the power to appoint all officers and subordinates in the police and fire service, including the Chief of Police, and to suspend and discharge the same at will. As soon as said police are appointed, a list shall be furnished the Chief of Police, and the policemen are thereafter to be under the control of the Chief of Police, unless removed by the Board of Commissioners. The day and night police, exclusive of the Chief, shall consist of one policeman to every 1,000 inhabitants, by the Federal census of 1870. The Police Commissioners are authorized to adopt rules and regulations of general discipline which it is the duty of the Chief to enforce. The said Commissioners, any two assenting, shall appoint the Chief of the fire department and all subordinates, and suspend and discharge the same at will. As soon as the

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firemen are appointed, a list shall be furnished the Chief of the fire department, and the firemen are to be thereafter under his control, unless removed by the Board of Commissioners. The Commission is authorized to adopt rules of discipline, which it is the duty of the Chief to enfore. The Commission shall employ no more men in the fire department than are absolutely necessary to successfully manage the engines, hook and ladders, hose carriages, etc., required for the extinguishing of fire.

Sanitary work, etc.

SEC. 6. *Be it further enacted*, That in addition to the other duties prescribed for the Fire and Police Commissioners by this Act, they shall exercise supervision over the paving and repairs of streets, the construction of drains and sewers, and other sanitary work, bridges, wharves, and the lighting of the city, and may, for this purpose, employ a competent civil engineer, at a salary not to exceed $2,000 per annum; and shall have power to enter into all necessary contracts for all of said works, subject to the limitations and restrictions of this Act.

Civil Engineer.

Supervisors of Public Works.

SEC. 7. *Be it further enacted*, That there shall be appointed and elected five discreet persons, who shall be the Supervisors of Public Works, and constitute a Board of Public Works, one of whom shall be appointed by the Governor; at the same time and in the same manner he appoints one of the Fire and Police Commissioners, one of whom shall be appointed by the Quarterly Court; at the same time and in the same manner it appoints one of the Commissioners of the Fire and Police; and the other three shall be elected biennially by the qualified voters of the taxing district, on the first Tues day in April. After the expiration of the term of office of the first Board of Public Works, selected as herein provided, their successors shall be elected by the qualified voters of the district, but vacancies in the offices of Fire and Police Commissioners and Board of Public Works shall be filled for the unexpired term by the Quarterly Court, which term shall be to the next regular biennial election. The members of said Board shall be residents of said districts for not less than five years immediately preceding their election, and not less than twenty-five years old, and chosen for their well known integrity and capacity for the duty required of them, and shall not be in arrears for any taxes. They shall serve without compensation. The election shall be held by the Sheriff of the County, as other popular elections are held. The members of said Board, before entering upon the discharge of their duties, shall severally take an oath before the Clerk of the County Court that they will faithfully

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and impartially discharge the duties of their offices, and that they will not become interested, directly or indirectly, nearly or remotely, for themselves or for others, in any contract for work, materials or supplies, or service or purchase, made by the Fire and Police Commissioners. The said Fire and Police Commissioners shall, in every case, before entering into any contract for any purpose, advertise daily for one week or more for sealed proposals for the work to be done, materials to be furnished, or service to be performed, and shall open all the bids on the day named in the advertisement, in the presence of a quorum of not less than three of the members of said Board of Public Works, and shall enter such bids with the names of the bidders in a book to be kept for that purpose, which book shall at all times be open to the inspection of the tax-payers, and every bid shall remain at least one week open for canvass and discussion after the opening, before any contract shall be awarded upon it, and after that time the award shall be made, if at all, to the lowest responsible bidder, who shall in all cases be required to give ample bond and security for its performance, the bond and security to be approved by the Supervisors of Public Works, and the Fire and Police Commissioners who sign the contract. But no contract shall be made which does not receive the assent of at least two of said Police and Fire Commissioners, and at least four of the members of said Board, and all contracts, of every description, shall be in writing, and shall be signed by all the Commissioners assenting thereto, and be approved in writing by all the members of said Board assenting thereto, and shall be signed as well by the other contracting party, and shall be recorded in full in a well bound book, open for the inspection of the tax-payers at all times. The Fire and Police Commissioners shall in every case, before advertising for proposals, submit to the said Board a statement in writing with estimate of cost of the proposed work to be done, material to be furnished, or service to be rendered, and unless the same receive the written sanction of at least four members of said Board, it shall not be advertised nor undertaken, said written sanction to be endorsed on the statement and estimate made by said Commissioners, and to be kept on file in their office. The said Board shall hold stated meetings for the transaction of business. It shall be a felony for any member of said Board or any member of said Commission to become interested, directly or indirectly, nearly or remotely, in any

Proposals and contracts.

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contract of any kind made in behalf of said district, and upon conviction the guilty party shall suffer imprisonment in the State Penitentiary, at hard labor, for not less than five nor more than ten years, and shall be forever rendered infamous, inelligible to any office of honor or profit in this State. *Provided*, that it shall be the duty of the Sheriff to hold the first election for Supervisors of Public Works as soon as this Act takes effect, as to all communities to which this Act applies, and whose charters are abolished at the time it takes effect. Commissioner not to be interested therein.

SEC. 8. *Be it further enacted*, That said Police and Fire Commissioners shall fix the pay of policemen and firemen as follows: Pay of firemen and policemen.

Chief of Police, not exceeding $125 per month; Chief of Fire Department, not exceeding $125 per month; Captain of Police, not exceeding $70 per month; Captains Fire Department, not exceeding $70 per month; Policemen and subordinates, not exceeding $60 per month; Firemen and subordinates, not exceeding $60 per month.

SEC. 9. *Be it further enacted*, That an annual tax is hereby levied on all the taxable property, real and personal, including merchants capital, and all others who are assessed for *ad valorem* taxes on capital invested, Bank stocks, and other stocks subject to tax within the territorial limits of such extinct corporations, as follows, viz.: 18 cents on the $100, to defray the expenses of the police department; 15 cents on the $100, to defray the expenses of the fire department; 10 cents on the $100, for lighting streets and public buildings; 10 cents on the $100, for the maintenance of public schools; 50 cents on the $100, for the repair and paving of streets and bridges, and construction of sewers, drains, and sanitary purposes, and an annual tax on all privileges exercised within said limits and not above enumerated in this section, and taxed by *ad valorem* assessment, equal to one-half of the tax imposed thereon for State purposes, said privilege tax to be applied to the paving of streets and construction of sewers or drainage of said territory. All money derived from fines and forfeitures, market rents and inspection fees, shall be paid over to the said trustee, and held for payment of salaries of Commissioners, printing, sanitary and other expenses, and a poll tax of one dollar on all taxable polls, which shall be used for hospital purposes. Said taxes shall be collected by the County Trustee, in lawful money of the United States, as other State taxes are collected, each fund by him to be kept separate, and to be paid out by him for the purposes specified upon Taxes. How collected and paid out.

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joint warrants of two of said Commissioners. In no case shall the fund collected for one purpose be used for any other, nor shall said Commissioners issue any warrant, unless the money is in the hands of the trustee at the time to redeem it, under penalty of being personally liable for the amount, recoverable by the holder of the warrant. The tax levied under this Act for the year 1879, shall be due and collectable immediately.

Wharfage tax.

SEC. 10. *Be it further enacted,* That there is hereby levied a wharfage tax upon all steamboats and other water craft landing at such territory, to grade and pave such wharf and keep the same in proper and safe condition for use, as follows, viz.: All steamboats, barges and hulls used as barges, shall pay five cents per ton, which shall entitle them to the privileges of the wharf and landing, to receive and discharge freights and passengers for a period of six days, and two cents per ton for each day they remain after six days, except such steamboats as make two or more trips per week, they to pay half the above rates each trip, but in no case shall they be required to pay in the aggregate more than is paid by boats of same tonage for same time; *Provided,* that all steamboats, barges and hulls that remain at the landing six hours or less shall pay the following rates of wharfage:

For 100 tons and under, $5.00; from 100 to 200 tons, $6.00; from 200 to 300 tons, $7.00; from 300 to 400 tons, $8.00; and $2.00 additional for each 100 tons over 400 tons, and one-half of above rates for each additional six hours they may remain. All flat boats shall pay three dollars for each landing, and one dollar for each day they remain at the landing, except Sundays. Said dues shall be collected by the County Trustee, and kept by him as a separate fund, and to be expended by said Commissioners, solely in the improvement and repair of the wharf, to be paid out for that purpose by the County Trustee on the joint warrant of two Commissioners. Said Trustee may employ a deputy to collect wharfage, at a salary of $800 per annum, to be paid out of said wharfage dues.

Diversion of taxes a felony.

SEC. 11. *Be it further enacted,* That the diversion of any portion of any of said taxes or wharfage dues or other funds from the purpose for which they were levied, by any of the Commissioners, or by the Trustee, shall be a felony, for which the guilty party upon conviction shall suffer imprisonment in the Penitentiary at hard labor for two years.

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Evidences of indebtedness not to be issued.

SEC. 12. *Be it further enacted*, That said Commissioners shall not issue any bonds, notes, scrip, or other evidences of indebtedness, and shall in no event contract for work, or material, or services, in excess of the amount of tax levied for such work, material or service for that year, and parties contracting with said Commissioners for work, material or services, shall look alone to the tax for that purpose for that year, and no subsequent tax shall be levied to meet the deficit, and no property, real or personal, held by said Commissioners, for public use, shall ever be subject to execution or attachment, or seizure under any legal process, for any debt created by said Commissioners, and all taxes due or moneys in the hands of the County Trustee, or on deposit, shall be exempt from seizure under attachment, execution, garnishment, or other legal process; nor shall said Commissioners or the County Trustee be liable to garnishment. And said Commissioners, and said Trustee, and other governing agencies, employed by this Act, are expressly prohibited from levying any taxes for any purpose, that power being reserved to the Legislature, and no writ of mandamus or other process shall lie to compel them to levy any taxes; nor shall the said Commissioners or said Trustee, nor the local government created by this Act pay or be liable for any debt created by said extinct corporation, nor shall any of the taxes collected under this Act ever be used for the payment of any of said debts.

Biennial reports to be made.

SEC. 13. *Be it further enacted*, That said Commissioners shall make to the Governor a biennial report, three weeks before the convening of the regular sessions of the Legislature, showing in detail all their acts and doings, and all their expenditures in each of the several departments, and the amount of work accomplished in each. And said Commissioners shall require of the County Trustee quarterly exhibits of his collections and disbursements under this Act, and examine his books quarterly, to see that they are correct, and the fund properly accounted for. The County Trustee shall, in addition to the compensation provided for in Chapter XCI, Section 10, page 132, of Acts of General Assembly, passed March 23d, 1875, receive for collecting and disbursing the revenue of said taxing district the sum of ($1,000) one thousand dollars per annum.

Trustee's compensation.

SEC. 14. *Be it further enacted*, That the fire engines, hose and carriages, horses and wagons, engine houses, public buildings, public squares, parks, promenades, wharfs, streets, alleys, engineer instruments, and all other prop-

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erty, real and personal, hitherto used by such corporations for purposes of government, are hereby transferred to the custody and control of said Board of Commissioners, to remain public property, as it has always been, for the uses to which said property has been hitherto applied, and that all indebtedness for taxes or otherwise, whether in litigation or otherwise, due to the said municipalities, shall vest in and become the property of the State, to be disposed of for the settlement of the debts of said extinct municipalities, as shall be hereafter provided by law, and all suits now pending shall be prosecuted to final determination under the provisions of this Act, without change of parties, and suits brought by said taxing districts shall be brought in the name of the President of Fire and Police Commissioners; *Provided,* however, that the taxes heretofore assessed as privilege taxes, and set apart for the payment of the police and firemen, shall be paid out as collected under the provisions of this Act, to the said police and firemen; and, *provided further,* that such taxing districts, through the President of the Board of Fire and Police Commissioners, are hereby authorized to employ a competent attorney to attend to the legal business of the same, at a salary of two thousand dollars, to be paid in monthly installments.

Custody of property.

Suits pending.

Pay firemen and police (old).

Attorney.

SEC. 15. *Be it further enacted,* That the President of the Board of Health shall be appointed annually by the Legislative Council, upon the nomination of the Chairman of the Board of Fire and Police Commissioners. The Board of Fire and Police Commissioners shall appoint, in addition to the policemen hereinbefore prodided for, one other policeman, who shall receive the same compensation as the others, but he shall be detailed by the Chairman of said Board to act as Health Officer, and as such shall constitute part of the Board of Health. There may be also a Secretary of the Board of Health, to be appointed by the President of the Board of Health, and may be allowed for his services a sum not exceeding $75 per month. The compensation of the President of the Board of Health shall not exceed $100 per month. The expenditures for these salaries shall be borne by the tax provided for the health service.

President Board Health.

Health Officer.

Secretary Board Health.

SEC. 16. *Be it further enacted,* That the President of the Board of Fire and Police Commissioners shall be the executive officer of the taxing district. He shall see that all the laws of the taxing district are enforced through the heads of police, fire and health service. The heads of each of these departments shall audit all accounts

Executive head.

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against it, but before payment they shall be acted upon and approved by the Board of Police and Fire Commissioners, which shall hold sessions at least once per month, for the purpose of auditing accounts against the taxing district. All sessions of this Board shall be opened and held in any suitable building in the taxing district belonging to the public, or in the County Court room of the court house of the county at such times as the court room is not being used by the County Court. In case of the temporary absence or sickness of the Chairman of the Board of Police and Fire Commissioners, the Commissioner chosen by the popular vote shall discharge, for the time being, the duties of the Chairman of the Chairman of the Board. The Quarterly Court of the County in which the taxing district is located shall have power to remove either of the said Commissioners for malfeasance or misfeasance in officers or for habitual drunkenness, or grossly immoral conduct. In case of permanent, physical or mental incapacity to serve, or removal from the district, the County Court shall declare the office vacant. Vacancies in the office of the Commissioner appointed by that body, and of the Commissioner elected by popular votes shall be filled by the Quarterly Court for the unexpired term. The Board of Fire and Police Commissioners shall render to each Quarterly Court a tabulated statement of the receipts, accounts, disbursements, of all the branches of service, of the local government, and all of its official acts for the preceding quarter, which shall be filed and preserved by the County Court, and such action may be had thereon as the public welfare may require. The Chairman of the Board of Fire and Police Commissioners shall furnish all necessary books and stationery for the use of the taxing district, which shall be paid for by him out of the taxes provided for the support of the local government of the district.

Board sessions, where held.

Pro tem Chairman.

Power to remove Commissioners.

Vacancies.

Statement, receipts, etc.

Books and Stationery.

SEC. 17. *Be it further enacted*, That all the officers and agents employed in the administration of said local governments shall be the officers and agents of the State, so far as all their official acts touching said governments are concerned. Those officers charged with disbursing, safekeeping, or performing any other acts touching the taxes imposed by this Act, shall be liable for any and all such breaches of duty touching the same, as are other State and County officers, in regard to the like services or acts, and may be proceeded against criminally and civilly in the same way; and it shall be the duty of the Attorney

Status of offic'rs and liability of same.

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General of the district to enforce all such remedies civilly and criminally against the delinquents, just as in case of State officer.

Additional police.

SEC. 18. *Be it further enacted*, That the Board of Fire and Police Commissioners, in addition to the policemen hereinbefore authorized, may, if necessary, employ such additional policemen to be detailed for that service as may be required for taking care of the public parks and squares, and for market masters of the taxing district, not exceeding three.

No liability on counties.

SEC. 19. *Be it further enacted*, That the Counties in which taxing districts are situated, shall not be liable for damages or injuries to persons or property by reason of defects in the streets.or alleys or other property under the control and within said taxing districts,or for the conduct of those managing the affairs of such district, nor shall such counties be in any manner liable to pay any money on account of such taxing district.

Private property to public use.

SEC. 20. *Be it further enacted*, That the private property within the taxing districts may be taken for public use in the manner now provided by law for the application of private property to public use.

Digest and publication of laws.

SEC. 21. *Be it further enacted*, That all local laws and ordinances shall be published at least five times (5) in some daily newspaper in the taxing district, and no law of a penal nature shall be in force until so published. A digest of the local laws shall be prepared once in three years, by direction of the Board of Fire and Police Commissioners, and which may be read as evidence in all the courts of the State without other proof of the laws contained in such digest.

obtain benefits of this Act.

SEC. 22. *Be it further enacted*, That whenever any community under the government of a municipal corporation at the time this Act takes effect having a population of less than 35,000 inhabitants according to the Federal census of 1870, may desire to be governed by the provisions of this Act, the authorities of such corporation shall cause an election of the qualified voters of such municipal corporation to be held, as other popular elections are held, and if at such election, a majority favor the form of local government prescribed by this Act, the officer holding the election shall give his official certificate showing that

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fact, and it shall thereupon be the duty of the authorities of such municipal corporation to tender in writing to the Governor, a proposal to surrender to the State all corporate power, which shall be accompanied by the said certificate of election. It shall thereupon be the duty of the Governor to accept, on behalf of the State, the proposed surrender of the charter, and the Governor shall cause said certificate of election, the proposal to surrender the charter, and his acceptance of the same, to be duly recorded by the Secretary of State in the book kept by him touching the organization of corporations under the general law on that subject, and as soon as such registration by the Secretary of State is made, the said community shall be governed by the provisions of this Act, and its former organization shall wholly cease to exist for any purpose whatever; *Provided*, that if the rate of taxation imposed by this Act should be in excess of what the community thus adopting the taxing district form of government needs for support of its local affairs, or if the regulations provided by this Act in regard to the fire and police and health service, should be inapplicable to the condition and circumstances of such taxing district; then and in that case, the Board of Fire and Police Commissioners of such district shall have the power to suspend the collection of so much of the taxes as may not be needed for the support of the local government, and also to make such regulations on the subject of fire, police and health services as will meet the wants of such taxing district.

Reports to General Assembly, amount tax required.

SEC. 23. *Be it further enacted*, That it shall be the duty of the Chairman of the Board of Fire and Police Commissioners, by and with the advice and consent of the Chief of Police, the President of the Board of Health, and the Supervisors of the Board of Public Works, at least twenty days preceding the meeting of each General Assembly, to report to that body, the rate of taxation as defined in Section No. 9 of this Act on property and privileges within the taxing districts for the two succeeding years, which in his opinion should be imposed for the use of the government of the taxing district.

Justices of the Peace to have jurisdiction.

SEC. 24. *Be it further enacted*, That all Justices of the Peace within the taxing district shall have jurisdiction over offenses against the laws of the taxing district, with power to punish offenders in the manner provided by law; but they shall receive no fees of office for any

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process which they may issue in the exercise of this jurisdiction, nor shall the county or taxing district or State be made liable for costs incident to the exercise of such jurisdiction.

SEC. 25. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed January 29, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOLKES,
Speaker of the House of Representatives.

Approved January 31, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER XII.

To exempt Franklin County from the Law for the protection of Fish, passed March 19, 1877, Chapter 25.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an Act entitled an act for the protection of fish in the counties of Robertson, Montgomery, Maury, Gibson, Madison, Stewart, Franklin, Loudon, Monroe, Hawkins, Henry and Crockett, passed March 19, 1877, chapter 25, be and the same is hereby repealed, so far as it applies to Franklin county.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed January 29, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved January 31, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER XIII.

AN ACT to change the line between the Counties of Dickson and Cheatham.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the county line between Dickson and Cheatham counties, be so changed as to include the lands and houses of J. W. Simpkins in Cheatham county.

Passed January 29, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved January 31, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER XIV.

AN ACT to provide for the deficiency in the Appropriation Bill of the 40th General Assembly of the State of Tennessee, and to appropriate a sum sufficient to pay the same.

WHEREAS, It appear that there is a deficiency in the Appropriation Bill of the 40th General Assembly of $25,000, and that large sums of costs are due to the clerks, sheriffs, jailers, and other officers of the State, that can not be paid for want of funds; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the said sum of $25,000 be, and the same is hereby approrpriated out of any funds in the Treasury, not otherwise appropriated.

SEC. 2, *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed January 30, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved January 31, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER XV.

AN ACT to secure the payment of the wages of laborers.

Lien upon crops

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That whenever any person or persons shall perform any labor, or render services to another person or persons in accordance with a contract, written or verbal, for cultivating soil, and shall produce a crop; that he shall have a lien upon the crop or crops produced, which shall be the results of his labor, for the payment of such wages as were agreed upon in the contract.

Extent of lien and enforcement.

SEC. 2. *Be it further enacted,* That this lien shall exist three months from the 15th day of November, of the year in which the labor is performed, and shall be enforced by execution or attachment, which lien shall be enforced as Landlord's liens are enforced; *provide always,* That an account of such labor rendered be kept and sworn to before some Justice of the Peace, or Clerk of the Court issuing the writ of distraint or attachment.

Second to Landlord's lien.

SEC. 3. *Be it further enacted,* That this lien shall in no wise abridge or interfere with the Landlords' lien for rent or supplies, as now established by law, but the same shall be second to the Landlords' lien, and none other.

SEC. 4. *Be it further enacted,* That all laws and parts of laws, in conflict with this Act, be and the same are hereby repealed.

SEC. 5. *Be it further enacted,* That this Act take effect on and after its passage, the public welfare requiring it.

Passed January 31, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved February 14, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER XVI.

AN ACT to amend Section 107th of the Code of Tennessee, fixing the time for Holding the Chancery Court in Hawkins County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 107th of Thompson & Stegers' Compilation of the Code of Tennessee, be so amended, as to read, the Chancery Court of Hawkins county shall be held at Rogersville on the 4th Mondays of April and October of each year, instead of the 1st Mondays of May and November, as heretofore fixed by law.

SEC. 2. *Be it further enacted,* That so much of the Act passed July 5, 1870, entitled "An Act to fix the time of holding the Chancery Courts," as conflicts with this Act, be and the same is hereby repealed.

SEC. 3. *Be it further enacted,* That all process issued from said Court, after the passage of this Act, shall be made returnable on the 4th Mondays of April and October.

SEC. 4. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 11, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved February 14, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER XVII.

AN ACT to change the time of Holding the Chancery Court of Lauderdale County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Chancery Court of the county of Lauderdale shall begin on the first Mondays of May and November instead of the third Mondays of said months, as now provided by law.

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SEC. 2. *Be it further enacted,* That all processes returnable to third Monday of May next shall be returnable to first Monday of May next, and shall be of the same validity as if made returnable to said Mondays.

SEC. 3. *Be it further enacted,* That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed February 12, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved February 14, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER XVIII.

AN ACT to repeal an Act entitled an Act to establish the County line between the Counties of Jefferson and Hamblen, and to Appoint Commissioners to run and mark said County line, passed March 20th, 1877, and approved March 22nd, 1877; and also to establish the line between the Counties of Jefferson and Hamblen.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That an Act passed March 20th, 1877, and approved March 22nd, 1877, chapter XLIV of the Acts of Assembly, 1877, entitled "An Act to establish the county line between the counties of Jefferson and Hamblen, and to appoint Commissioners to run and mark said county line," be and the same is hereby repealed.

SEC. 2. *Be it further enacted,* That the line between said counties of Jefferson and Hamblen, as set forth and declared in Section 2 of an Act entitled "An Act to establish the county of Hamblen, in honor of the late Hezekiah Hamblen, Esq., of Hawkins county, passed May 31st, 1870, and approved June 8, 1870," be, and the same is, hereby declared to be the true line between said counties of Jefferson and Hamblen.

SEC. 3. *Be it further enacted,* That all Acts and parts of Acts in conflict with this Act be, and the same are, hereby repealed.

SEC. 4. *Be it further enacted,* That this Act take effect

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from and after its passage, the public welfare requiring it.

Passed January 31, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved, February 14th, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER XIX.

AN ACT to amend Section 1 of the Acts of 1865-6, Chapter 44, being Section 264*a* of Thompson & Steger's Code, which Authorizes the Appointment of a Superintendent of the Capitol and Capitol Grounds.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That so much of Section 1 of the Acts of 1865-6, Chapter 44, as allows the Superintendent of the Capitol one hundred and twenty-five dollars per month, be, and the the same is, hereby repealed, and hereafter his pay shall be fifty dollars per month, to be paid monthly out of the Treasury, upon the warrant of the Comptroller. Superintendent's pay.

SEC. 2. *Be it further enacted,* That said Superintendent be and he is hereby authorized to appoint one night watchman for the Capitol and Capitol grounds, who shall receive for his services thirty dollars per month, and two porters, who shall receive twenty dollars each per month, to be paid out of the Treasury upon the warrant of the Comptroller. Watchmen and porters' pay.

SEC. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed Feburary 11, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved, February 14, 1879.

ALBERT S. MARKS.
Governor.

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CHAPTER XX.

AN ACT transferring Appeals from Perry County to Nashville.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That hereafter all appeals from the Circuit and Chancery Courts in the county of Perry be taken to the Supreme Court at Nashville, Tennessee, instead of being carried to Jackson, as now required by law.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 13, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved, February 20, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER XXI.

AN ACT to change the County line between the Counties of Giles and Marshall.

Be it enacted by the General Assembly of the State of Tennessee, That the county line between the counties of Giles and Marshall counties be so changed the house and farm of James Perry, Mr. Pollis and D. W. Kincaid and their lands shall be embraced in the county of Giles.

This Act to take effect from and after its passage.

Passed February 14.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved, February 20, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER XXII.

AN ACT for the protection of game and other birds in the county of Montgomery.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That no person shall hunt, kill or capture, in the counties of Montgomery and Cheatham, from the first day of March to the fifteenth day of October in each year, any song bird, as the mocking bird, thrush, robin or oriole, nor any bird that feeds on insects, as the sparrow, cat bird, blue bird or wood-pecker, nor any of the following game birds, to-wit: the partridge or quail, grouse or pheasant or lark, nor from the first of day of March to the first day of August, any wood-cock, dove or wild turkey, nor from the first day of May to the first first day of September, any snipe, plover or duck. No person shall at any time destroy the nest or eggs of any of these birds, nor hold in captivity any of the aforesaid game birds during the periods above mentioned; *Provided,* however, that any person having in his possession alive any of the game birds aforesaid, and during the periods prohibited, shall not be subject to the penalties attached, if he shall have made oath at the time of acquiring possession of said birds, and before some officer duly qualified, that the said game birds have been bought or are retained in captivity for the purpose of being set free in the county aforesaid.

Song birds.

Insect feeders.

Game birds.

Eggs.

Proviso.

SEC. 2. *Be it further enacted,* That the violation of this Act is hereby declared to be a misdemeanor, and any person convicted under it shall be punished in the same manner as for other misdemeanors, and in all prosecutions under this Act, no prosecutor shall be required.

Penalty.

SEC. 3. *Be it further enacted,* That all laws or parts of laws in conflict with this Act be, and are, hereby repealed, and this Act take effect from and after its passage, the public welfare requiring it.

Passed February 14, 1879.

H. P. FOWLKES.
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved, February 20, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER XXIII.

AN ACT to amend Section 3346 of the Code, so as to allow one Justice of the Peace to try cases of forcible entry and detainer, forcible detainer and unlawful detainer.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That all cases of forcible entry and detainer, forcible entry and unlawful detainer, and of unlawful detainer, may be tried before any one Justice of the Peace of the county in which the acts are committed, who shall decide the particular case, and all questions of law and fact arising.

SEC. 2. *Be it further enacted*, That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed February 15, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved, February 20, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER XXIV.

AN ACT to repeal the Act passed June 23, 1870, allowing the Comptroller to employ a Clerk at the expense of the State.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Act passed June 23, 1870, being Section 4527*a* of Thompson & Steger's Code, and which allows the Comptroller to employ a clerk at a salary of one hundred dollars per month be, and the the same is, hereby repealed.

SEC. 2. *Be it further enacted*, That this act take effect

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from and after its passage, the public welfare requiring it.

Passed February 19, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved, February 20, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER XXV.

AN ACT to amend an Act entitled "An Act to provide for the increase and diminution of the powers of Municipal Corporations having a population of not less than twenty thousand nor more than forty thousand inhabitants, passed March 17, 1875, conferring the same powers as contained in Section 22 of said Act on Municipal Corporations having a population of not less than four thousand nor more than forty thousand inhabitants.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Chapter 59 of the Acts of the General Assembly of the State of Tennessee, passed March 17, 1875, and approved March 22, 1875, and entitled "An Act to provide for the increase and diminution of the powers of Municipal Corporations, having a population of not less that twenty thousand, nor more than forty thousand inhabitants," be, and the same is, hereby so amended that the provisions of Section twenty-two (22) of said Act shall apply to Municipal Corporations having a population of not less than four thousand nor more than forty thousand inhabitants, by the United States Census of 1870.

SEC. 2. *Be it further enacted,* That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed February 17, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved, February 20, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER XXVI.

AN ACT to provide for the Publication of unreported Opinions of the Supreme Court.

Supreme Court to appoint Reporter.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Attorney General and Reporter is hereby authorized to recommend some suitable person to the Supreme Court, whom it shall appoint as Assistant Reporter to prepare and publish such of the unreported opinions not yet officially reported, as the Attorney may direct and the Court may deem worthy of publication.

Compensation.

SEC. 2. *Be it further enacted*, That the appointee under the foregoing, may have the right to select his own printer, who shall receive as compensation from the State the same price per volume as is now paid by the State for similar work, and in the same manner, he furnishing the State with the same number of copies as is now required by law.

May retain and sell 300 copies.

SEC. 3. *Be it further enacted*, That such Assistant may have the authority, as his compensation for the editorial work, to have published, at his own expense, three hundren copies of each of his reports, for his own use and benefit.

SEC. 4. *Be it further enacted*, That should such person have more than three hundred copies of each of his Reports published for his own use, he shall be guilty of a misdemeanor, and upon a conviction, punishable by a fine of not less than five hundred dollars, and for the faithful performance of such duties, he shall be required to give a bond of not less than ten thousand dollars, to be taken by the Secretary of State, and by him kept on file at his proper office.

Bond required.

SEC. 5. *Be it further enacted*, That should any issue of Reports tendered the State by such Assistant, under the foregoing section, contain fewer volumes than the law now requires shall be published, and should any volume contain less than six hundred or more than seven hundred pages, the same shall be paid for in a diminished or increased price in a corresponding ratio; *Provided*, that nothing in this Section shall be so construed as to excuse such Assistant Reporter from furnishing the two hundred volumes free of charge, as is required in Section 6 of this Act.

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SEC. 6. *Be it further enacted,* That such volumes as may be published under this law shall not be stereotyped, but that the Reporter shall be required to furnish the State with two hundred extra copies of each volume free of charge, to meet any deficiency that may hereafter occur. Extra copies.

SEC. 7. *Be it further enacted,* That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed February 19, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved, February 20, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER XXVII.

AN ACT to repeal the Charter of the City of Brownsville, in Haywood County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That an Act entitled "An Act to incorporate the inhabitants of the town of Brownsville, in Haywood county," passed November 1st, 1826, chapter 9, sections 1 to 4, inclusive, also an Act entitled "An Act extending the Corporate limits of the town of Brownsville," chapter 32, sections 1 to 4, inclusive, passed December 14th, 1866, also an Act entitled "An Act to incorporate the Memphis Real Estate Association, and for other purposes," chapter 64, sections 84 to 101, inclusive, passed February 24th, 1870, also an Act entitled "An Act to change the time of electing the Board of Mayor and Alderman of the town of Clarksville," and for other purposes, chapter 72, section 7 to 12, inclusive, passed March 19th, 1875, also an Act entitled "An Act to amend the Corporation of the City of Brownsville," chapter 128, sections 1 to 5, inclusive, passed March 23rd, 1877, all the above mentioned Acts and parts of Acts

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in so far as they relate to, or affect the incorporation of the Town or City of Brownsville, and no further nor otherwise, and also any and all Acts, and parts of Acts amendatory of the Acts creating into a body politic, and corporate the inhabitants of a certain territory lying within the county of Haywood by the name of the City of Brownsville, the Board of Mayor and Aldermen of Brownsville or other corporate name or regulating the municipal government thereof, be and the same are hereby repealed, and all offices created and held under and by virtue of said Acts or either or any of them, relating to Brownsville as aforesaid, are abolished; *Provided* that this Act shall not be so construed as to impair the obligation of any existing contract, into which said Corporation has heretofore entered

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 21st, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.

J. R. NEAL,
Speaker of the Senate.

Approved, February 24th, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER XXVIII.

AN ACT to suspend during the prevalence of Epidemics the Laws regulating the protest, or demand and notice of Negotiable Paper.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That whenever hereafter the legally constituted health authorities of any incorporated town or city or the Mayor, in the absence of a Board of Health in this State shall officially announce the prevalence as an epidemic within the limits of such town or city of any contagious or infectious disease of so malignant or dangerous a character as to suspend or seriously

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interupt the business transactions of such town or city, as certified to by said health authorities, the owners or holders of any negotiable paper, such as notes, foreign or inland bill of exchange or any other evidence of debt requiring demand and notice or demand notice and protest, shall be excused from making such demand, giving such notice and entering such protest, while such epidemic prevails: and such demand, notice and protest, made, given and entered within fifteen days after such epidemic shall have been declared at an end by said health authorities, or Mayor shall be as binding upon the parties sought to be charged as if the same steps had been taken upon the day of the maturity of the paper; and if any incorporated town or city within this State has lost or shall lose its corporate existence by a surrender or repeal of its charter, the foregoing provisions shall in all respects apply, so far as may be practicable, to the territory by whatsoever name it may be known or distinguished embraced within the former corporate limits of such town or city.

Deferred till 15 days after epidemic has ceased.

SEC. 2. *Be it further enacted,* That all laws or parts of laws, in conflict with the provisions of this Act be and the same are hereby repealed.

SEC. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 21, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved, February 24th, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER XXIX.

AN ACT to approve the expenditure of Money in aid of Yellow Fever Sufferers.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Comptroller of the State

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be authorized to issuer a warrant, for ($4,971.77) four thousand nine hundred and seventy-one dollars and seventy-seven cents, to cover the amount expended by his Excellency the Governor, and Treasurer of the State in aid of the Yellow Fever Sufferers of the State of Tennessee.

Passed February 21, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.
Approved, February 24th, 1879.
ALBEBT S. MARKS,
Governor.

CHAPTER XXX.

AN ACT to amend so much of an Act passed March 21st, 1877, and approved March 26th. 1877, as authorized the appointment of a Superintendent of the Penitentiary.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 20 of the Act passed March 21st 1877, and approved March 26th, 1877, entitled "An Act to provide for the lease and management of the Penitentiary," be and the same is hereby so amended as to read, the salary of the Superintendent shall not exceed eighteen hundred dollars per annum.

Salary reduced.

SEC. 2. *Be it further enacted,* That this Act take effect from and after it passage the public welfare requiring it.

Passed February 21, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.
Approved, February 24th, 1879.
ALBERT S. MARKS,
Governor.

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CHAPTER XXXI.

AN ACT to repeal Sections 940, 941, 942, 943, 944 and 945 of the Code and the Act of 14th February, 1860, entitled "An Act to provide for the increase of the State Library and for the payment of its contingent expenses," and the Act of 7th of March, 1867, entitled "An Act to establish a Board of Commissioners to superintend the Library of the State of Tennessee," also an Act passed March 15th, 1875, entitled An Act to repeal an act, entitled An Act to provide for the increase of the State Library, and to provide for the Management and Control of the State Library.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Sections 940, 941, 942, 943, 944 and 945 of the Code and the Act of 14th of February, 1860, entitled "An Act to provide for the increase of the State Library and for the payment of its contingent expenses," and the Act of the 7th of March, 1867, entitled "An Act to establish a Board of Commissioners to superintend the Library of the State of Tennessee," and the Act passed March 15th, 1875, entitled "An Act to repeal an Act entitled "An Act to provide for the increase of the State Library," be and the same are hereby repealed. Acts repealed.

SEC. 2. *Be it further enacted*, That the Librarian shall be elected by the General Assembly and hold the office for two years, at a salary of one thousand dollars per annum, payable quarterly out of the Treasury on a warrant of the Comptroller, who shall keep the Library open every day in the year except holidays. Librarians election, term and salary.

SEC. 3. *Be it further enacted*, That the sum of three hundred dollars annually is hereby appropriated to make additions to the Library. Appropriations yearly.

SEC. 4. *Be it further enacted*, That the Governor of the State of Tennessee, and the Judges of the Supreme Court shall be and are hereby constituted a Board of Commissioners, to superintend and control the Library of the State, with power to make all necessary and proper rules for its government, and that the annual appropriation for the purchase of books shall be under the direction of said Board and for such books as said Board may direct. Board to control

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Librarians Report.

SEC. 5. *Be it further enacted,* That the Librarian shall report to said Board, which shall report to the General Assembly at each session the condition of the Library, and the catalogue of books purchased.

To exchange Books.

SEC. 6. *Be it further enacted,* That it shall be the duty of the Librarian to carry on the exchange of books and documents with the governments of the States and Territories of the Union and of foreign countries, and with societies and institutions, and the Librarian may from time to time, procure from said governments, societies and institutions, their documents, Laws, Judicial decisions and publications by exchanging those of this State for the same.

Books not to be taken from.

SEC. 7. *Be it further enacted,* That the Librarian shall permit no map, chart, engraving or book, to be carried from the Library, except by the Judges of the Supreme Court, Judges of the United States Court and District Attorney United States Court, or by the members of the General Assembly, and then only by leaving with the Librarian a receipt for the same, and any violation of this Section shall be a misdemeanor and upon conviction thereof the Librarian shall be fined in the sum of not less than ten nor more than fifty dollars: *Provided* that no lawyer or other person shall take any book from Library on the receipt of the Governor or Supreme Judges or members of the General Assembly.

SEC. 8. *Be it further enacted,* That in addition to the number of laws, public documents, and decisions ordered by the General Assembly to be printed for home distribution Fifty copies shall be printed for the Library, and delivered to the Librarian to be used in making the exchanges provided for in the sixth section of this Act.

SEC. 9. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 22, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.
Approved, February 27th, 1879.
ALBERT S. MARKS,
Governor.

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CHAPTER XXXII.

AN ACT to re open the navigation of Big Hatchie River.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That an Act, passed December 14, and approved December 15, 1871, entitled "An Act to repeal An Act passed February 1, 1871," be, and the same is hereby repealed, and that hereafter the Big Hatchie River is declared navigable from its mouth to the point where the Mississippi Central Railroad crosses said River in Hardeman County, *Provided,* That all railroad companies having bridges or other structures across said river shall have until the first Monday in November, 1879, to put draws in their bridges as to so arrange and fix their bridges or other structures across said river as not to obstruct the navigation thereof.

Passed February 25, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved February 27, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER XXXIII.

AN ACT to repeal the Charter and abolish the incorporation of the town of Jonesboro, Washington County, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That an Act, passed September 27, 1794, entitled "An Act for the registration of the Town of Jonesboro, etc.," and an Act, passed November 3, 1803, entitled "An Act for the regulating of the Town of Jonesboro, and for the erecting buildings or repairing

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the court house, prison and stocks," in said town; and an Act, passed November 8, 1809, entitled "An Act amendatory of the laws now in force for the regulation of the Town of Jonesboro, and also an Act, passed November the 25th, 1819, entitled "An Act to amend the law incorporating the Town of Jonesboro, in the county of Washington, passed at Nashville on the 27th of October 1815, and all other Acts, if any there be, granting a charter or amending the Acts of the incorporation of said town be, and the same are hereby repealed.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage.

Passed February 25, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved February 27, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER XXXIV.

AN ACT to create a new county off of Overton and Fentress, in the State of Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That a new county is hereby established to be composed of portions taken from Overton and Fentress Counties, to be known and designated by the name of Pickett.

SEC. 2. *Be it further enacted,* That the County of Pickett shall be bounded as follows: Beginning on the southeast corner of Clay County, at a point eleven miles northeast of Livingston, running thence south sixty degrees east, to the Livingston and Albany Road, to a point eleven miles from Livingston, running by Jackson Winningham; thence south fifty degrees east to a black oak on the Jamestown and Livingston Road, eleven miles southeast of Livingston; thence south twenty de-

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grees east to the west fork of Obey's River; thence to a rock marked No. 5, near Ledford's; thence north forty degrees east to a rock marked E. G. Smith and John Harman; thence north twelve degrees east to the Jamestown and Livingston Road; thence with said road to a stake eleven miles from Jamestown; thence northwardly to the east fork of Obey's River at a point eleven miles from Jamestown, thence northwardly to the Dry Creek and Jamestown Road to a stake eleven miles from Jamestown; thence in a northwardly direction to the Jamestown and Albany Road to a stake near the Gatewood stand; thence north sixty degrees east to the Kempton Gap of the mountain; thence east up Ratter's fork of Wolf River to a cliff marked X; thence east to the Scott county line; thence north to the Kentucky line; thence west with said line to the northeast corner of Clay county; thence with the line of said county to the beginning, containing about 300 square miles. Boundaries.

SEC. 3. *Be it further enacted*, That for the purpose of organizing the County of Pickett, W. W. Goodpasture, Jackson Winningham, L. T. Smith, J. N. Huddleston, Sr., M. F. Hurt, W. A. Gilreath and E. D. Wright, shall be, and are hereby appointed, Commissioners on the part of the several fractions of the counties of Overton and Fentress, who shall, before entering on the discharge of their duty, take an oath before some Justice of the Peace, faithfully and impartially, to discharge all the duties incumbent upon them in this Act; and in all cases of vacancy, that may occur among said Commissioners, previous to the organization of the County Court, of said County of Pickett, the same shall be filed by remaining Commissioners, and all vacancies occurring after the organization of such court shall be filled by said court of the county of Pickett. Said Commissioners shall enter into such bond and security as may be required by the said County Court of Pickett, and payable to the Chairman thereof, conditioned for the faithful performance of their duties as required by this Act. Commissioners

A majority of said Commissioners shall constitute a Board, competent to do all things herein enjoined them. They shall keep a record of all their proceedings as Commissioners, which shall be returned to the County Court of Pickett County at its first session, and the same shall be recorded by the clerk thereof on the records of said court, and they shall make such returns after the organization of said court as shall be directed thereby. Record of Commissioners presented to County Court.

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SEC. 4. *Be it further enacted,* That it shall be the duty of said Commissioners, first giving thirty days notice in two or more public places in each fraction, of the time and place to open and hold an election, in two or more places in each of the fractions proposed to be stricken off from the counties of Overton and Fentress, in order to ascertain whether two-thirds of the voters residing in each of the said fractions, are in favor of, or opposed to the formation of said new County of Pickett, and all persons qualified to vote for members of the General Assembly residing in said fractions, shall be entitled to vote in said election, and each voter who is in favor of the formation of the new county, shall have on his ticket "New County" and each voter opposed to the new County of Pickett shall have on his ticket "Old County" and if, after counting the votes cast in said election it shall appear that there are two-thirds of the legal votes cast in each of said fractions in favor of the new county, then in that case the County of Pickett shall be, and is hereby declared the county, with all the powers, privileges and advantages, and subject to all the liabilities and duties with other counties in the State.

Election to vote on new county.

SEC. 5. *Be it further enacted,* That in order to carry into effect and make certain and accurate the provisions in the 4th Section of this Act, said Commissioners are hereby empowered and authorized to canvass and take the census of the qualified voting population in the bounds of the several fractions proposed to be stricken off from the counties of Overton and Fentress.

To take census.

SEC. 6. *Be it further enacted,* That for the due administration of justice, the different Courts to be holden in the said County of Pickett shall be held at such place or places, as may be designated by said Commissioners until the seat of Justice shall be located and all writs and other process issuing from said Courts returnable to the place, shall be legal, and the Courts of the County of Pickett, shall be under the same rules, regulations and restrictions, shall have, exercise and possess the same power and jurisdiction as prescribed by law for holding Courts in other counties, and said county shall be attached to the 16th Judicial Circuit, and the 1st Circuit and Chancery Courts shall be held at the time designated by the Judge of said Circuit.

Courts.

SEC. 7. *Be it further enacted,* That all officers, civil or military, now holding office in said county, shall continue to hold their offices and exercise all the functions and powers thereof until others are elected and qualified

Jurisdiction and powers of officers.

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according to this Act; *Provided,* That nothing in this Act shall deprive the counties from which the fractions have been taken, having exercised and holding jurisdiction over the County of Pickett and the citizens thereof, in as full and ample a manner as they now have, until the election of county officers takes place, according to this Act.

SEC. 8. *Be it further enacted,* That said Commissioners are hereby empowered, and it shall be their duty, to appoint five qualified and suitable persons to divide said county into not less than 8 civil districts, designating boundaries and places for holding elections in said districts and perform all the duties relating thereto, which, by the laws of the State, such Commissioners are required to do. Lay off into civil districts.

SEC. 9. *Be it further enacted,* That the Commissioners appointed by this Act, shall appoint such person or persons, as they may think proper, and hold the election for county officers of said County of Pickett, and such person or persons so appointed, shall have power to appoint deputy Clerks and Judges, and by himself and deputies to administer all the necessary oaths and perform all other duties, now made the duties of Sheriffs or other officers holding similar elections, and it shall be the duty of such persons so appointed together with their deputies after giving fifteen days notice to open the polls and hold an election in each one of the civil districts in said county for district and county officers, and the officers so elected shall hold their offices until the next regular election, for the different officers so elected takes place in other counties in the State. Election of officers.

SEC. 10. *Be it further enacted,* That it shall be the duty of the above named Commissioners, so soon as convenient, after the full and complete organization of the said County of Pickett to select and put in nomination two or more suitable locations for the seat of justice of the County of Pickett, having a due regard for the health and convenience of a majority of the citizens of said county, neither of which places shall be more than two and one-half miles from the supposed or probable center of said County of Pickett which places shall be voted for by the legal voters of said county and the site nominated receiving the largest number of votes shall be, and is hereby declared to be, the seat of justice of the said County of Pickett, and shall be known by the name of Byrdstown. County seat.

SEC. 11. *Be it further enacted,* That it shall be the further duty of said Commission to obtain a good and

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sufficient title to twenty acres of land, upon which the seat of justice ot said county is located, by the vote of the people, and said Commission shall lay off said land into town lots of proper size with the necessary streets and alleys, reserving ——— acres for a public square and a suitable lot for a county jail.

Buildings.

SEC. 12. *Be it further enacted*, That it shall be the duty of said Commission to superintend the building of such public buildings as the County Court of said county may direct to be built, and shall let the same out, and shall take bonds with ample security, payable to themselves, and successors in office, conditioned for the faithful performance of his or their contract, the proceeds of the sales of all donations, bonds, town lots, or other gifts that may be made, in consideration of the location of the seat of justice for said County of Pickett, or otherwise, shall be a fund in their hands to pay the necessary expenses in organizing said county and paying for the erection of public buildings ordered to be built by the County Court, and should any surplus remain it shall be their duty to pay over the same to the Trustee to be accounted for by him as other funds in his hands.

Powers.

SEC. 13. *Be it further enacted*, That said Commissioners of Pickett County, be, and they are hereby authorized, to exercise all powers and privileges conferred on them by this Act, and any and all other powers not in violation of the Constitution of the State, that may be necessary and proper for the complete setting up an organization of said County of Pickett.

Pro rata of debts

SEC. 14. *Be it further enacted*, That the fractions composing said County of Pickett shall be liable for their *pro rata* of the debts contracted and owing by the counties from which they were taken and shall also receive their portion of any stocks or credits belonging to said old counties.

SEC. 15. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it; *Provided*, that this Act shall not be so construed as to violate the Constitutional rights of the old counties of which it is composed.

Passed February 25, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved February 27, 1879.
ALBERT S. MARKS, *Governor.*

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CHAPTER XXXV.

AN ACT to authorize Banking Institutions in this State to increase the number of their Directors.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That any Banking Institution chartered under the laws of the State, may increase its Board of Directors to any number not exceeding sixteen, who are eligible under the laws now in force, the number thereof to be determined by vote of the Stockholders at any general or special election, in the manner now prescribed in their respective Charters.

SEC. 2. *Be it further enacted,* That this Act shall take effect immediately on its passage, the public welfare requiring it.

Passed February 26, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved February 28, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER XXXVI.

AN ACT to change the time of holding the Chancery Courts in the Sixth Chancery Division.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Chancery Courts in the Sixth Chancery Division shall be held at the following times and places: At Gallatin, in Sumner county, on the first Monday in January and first Monday in June; at at Hartsville, in Trousdale county, on the fourth Monday in January and fourth Monday in June; at Dover, for Stewart county, on the first Mondays in March and September; at Erin, for Houston county, on the second Mondays in March and September; at Clarksville, for

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Montgomery county, on the first Mondays in July and February; at Lebanon, for Wilson county, on the third Monday in March and fourth Monday in October; at Ashland City, on the first Tuesday after the third Monday in April and September; and at Springfield, for Robertson county, on the fourth Mondays in April and November.

SEC. 2. *Be it further enacted*, That subpœnas and all other processes heretofore issued, and that may hereafter issue, shall be made returnable at the times and places fixed by the first section of this Act.

SEC. 3. *Be it further enacted*, That all laws in conflict with this Act be, and the same is hereby repealed, and that this Act take effect from and after the 15th day of March, 1879, the public welfare requiring it.

Passed February 26, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved February 28th, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER XXXVII.

AN ACT to amend section 2358 of Code of the State of Tennessee in regard to the duties of Chancery Court Clerks.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Clerks and Masters of the Chancery Courts of this State be, and are hereby required, to keep a book in their office, marked "Insolvent book," in which they will file the character and amount of all claims fined in insolvent bills pending, or that may be brought in the Chancery Courts of this State, in the same manner as required by law of the Clerks of the

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County Courts of this State in insolvent estates. Said books shall be styled "Minutes of insolvent estates."

Passed February 27, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 1st, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER XXXVIII.

AN ACT to provide for the Redemption of Real Estate sold for taxes or under judicial process.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That when any real estate is sold for taxes at tax sale, whether for State, county or municipal taxes, and whether such purchase is made from the Tax Collector, at his sale for taxes, or under judicial process, and the purchaser at such sale has paid other taxes, cost and charges due on such real estate, in addition to those for which said real estate was sold, any persons having a right to redeem said real estate, shall be required to pay or tender to such purchaser the amount of all taxes, costs and charges paid by such purchaser, together with six per cent. per annum interest on the whole amount thereof in lawful money of the United States.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 27, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 3d, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER XXXIX.

AN ACT to amend an Act entitled, "An Act to amend the various Acts in reference to the Bean Station and Cumberland Gap Turnpike Road and consolidate the same into one Act."

Acts amended.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That so much of section 5, of an Act passed March 10th, 1875, entitled, "An Act to amend the various Acts in reference to the Bean Station and Cumberland Gap Turnpike Road, and consolidate the same into one Act," as relates to all male citizens between the ages of eighteen and forty years, now compelled to work the above named road, for one mile on each side, be repealed and changed to one half mile on either side, and to work four days during the year, instead of six days, as now.

Toll-gate.

SEC. 2. *Be it further enacted,* That the toll-gate in Grainger county, on the above said road, shall be leased or let out to the highest bidder, and that the lessee may fix his gate on either side of Clinch mountain, or at some point on said mountain where the aforesaid turnpike crosses said mountain, and that he be required to keep said road in good traveling order, and that he be required to give bond and security so to do, in a sum to be fixed by the County Court of Grainger county, and that the rates of toll be fixed by said court, and that printed rates of toll be posted at the said gate, for the information of the traveling public, and that the lessee shall have all of the toll collected at said gate, but the citizens of Grainger county shall go free, unless on a journey out of the county.

County Court may terminate lease.

SEC. 3. *Be it further enacted,* That on failure of the aforesaid lessee to keep said road across said mountain in good traveling order, as required by law, it shall be at the option of the County Court of Grainger county to determine said lease.

SEC. 4. *Be it further enacted,* That the County Court aforesaid shall prescribe the manner in which said road across said mountain shall be kept.

County Court may lease.

SEC. 5. *Be it further enacted,* That the county Court of Grainger county lease said gate at as early a day as practicable, and a sufficient amount for which said gate is leased, shall be expended to make the road over the

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mountain passable and good, the residue to be equally divided between the counties of Grainger, Claiborne and Hamblen, to be expended upon the road running through each. The said County Court of Grainger county shall, the first Monday in April, 1879, elect a commissioner or overseer, whose duty it shall be to notify hands what days to work on said road, and who shall receive for his services such amount as the county court may allow, to be paid from the funds derived from the lease. The commissioner shall be elected once a year, the first Monday in January, except for the year 1879, then as above provided; and further, that the election of the commissioner or overseer shall alternate between the three counties: Grainger first to elect, then Claiborne, and Hamblen lastly. Said commissioner elected, shall be allowed to appoint sub-overseers, to be paid from the amount allowed him by the County Court that elect, and further, said commissioner shall settle with the Chairman of each County Court by which he is elected once a year, on or before the first day of December each year, and that the citizens of Claiborne and Hamblen counties be not required to pay toll.

Overseer.

To alternate.

Sub-overseer.

SEC. 6. *Be it further enacted,* That all Acts in conflict with this Act be, and the same are hereby repealed.

SEC. 7. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 1, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 4th, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER XL.

AN ACT to amend the 3d section of Chapter III of the Act of the 6th of March, 1867, in Thompsou & Steger's edition of the Code of Tennessee, section 3780*a*.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the third Section of Chapter III of the Act passed the 6th day of March, 1867, be, and is hereby so amended, as to read as follows: An account on which action is brought or which has heretofore

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Account from other States.

been brought, coming from another State or another county of this State, with the affidavit of the plaintiff to its correctness, and the certificate of a Notary Public, with his official seal annexed thereto, shall have the same force and effect as evidence as if the account were sworn to before a Justice of the Peace, and his official character certified to by the Clerk of the County Court, according to section 3780 of the Code of Tennessee.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 1, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 4th, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER XLI.

AN ACT to repeal the laws incorporating the town of Tazewell, Claiborne county, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That all laws and parts of laws, incorporating the Town of Tazewell, in the County of Claiborne, be, and the same are hereby repealed.

SEC. 2. *Be it further enacted,* That all laws that are in conflict with the provisions of this Act, and especially sections 11, 12 and 13 of an Act passed January 2d, 1854, entitled, "An Act to incorporate the 'Odd Fellows' Female College, at Rogersville, East Tennessee, and for other purposes, be, and the same are hereby repealed.

SEC. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 1st, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 4th, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER XLII.

AN ACT to establish a new county out of fractions of Madison, Henderson, McNairy and Hardeman counties, and to repeal an Act passed March 19, 1875, to establish a new county out of the above named territory.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That a new county be, and the same is hereby established, out of fractions of Madison, Henderson, McNairy and Hardeman counties, to be known as Chester County. Chester County.

SEC. 2. *Be it further enacted*, That the county of Chester shall be bounded as follows: Beginning at a stake on the south bank of the middle fork of the Forked Deer River, where the Henderson and Madison county line crosses said river, at a beech and two hickory pointers, thence east with the meanderings of said river to a stake, hickory, elm and hornbean pointers on the land of Dr. W. E. Tucker; thence with the arc of a circle with the radius of 11 miles; from the town of Lexington 12°93 miles; thence east 1 mile; thence in a southern direction to the northwest corner of Hardin County; thence with said line to the northeast corner of McNairy county; thence south with the McNairy and Hardin county line 1°52 miles; thence west 1°39 miles; thence south to the corner of the old survey of Wisdom County, made under the Act, this to repeal, on the lands of Thomas Wilkerson; thence west 8 miles; thence with the arc of a circle, with the radius of 11 miles, from the town of Purdy 14 miles; thence west 2°53 miles; thence with the arc of a circle with the radius of 11 miles from the town of Bolivar, 8°75 miles; thence north to the Madison county line; thence east with the Madison and Hardeman county line to a stake 10 poles east of the house of Rev. Robert Rainey; thence north 61½ degrees east 9 miles; thence north 26½° east to the Henderson and Madison county line; thence north with said line to the beginning. 278°77 square miles. Boundaries.

SEC. 3. *Be it further enacted*, That for the purpose of organizing the said county of Chester, that J. F. Hamlet, Robert Long, B. H. Brown, J. H. Fry, B. I. Young, A. B. Patterson, J. W. Perkins, J. H. Mitchel, J. M. Simmons, John Barham, John M. Sherrell, W. L. Steagall, William Rust, J. M. Reams, M. D. Pare and Able Stewart, shall be, and are hereby appointed Commissioners on the part of the several fractions in which they re- Commissioners.

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side, who shall, before entering on the discharge of their duty, take an oath before some Justice of the Peace, to faithfully and impartially discharge all the duties incumbent upon them in this Act, and in all cases of vacancy that may occur among said Commissioners previous to the organization of the County Court of said county of Chester, the remaining Commissioners shall fill by appointment said vacancies—and vacancies occurring after the organization of such court, shall be filled by said court of the county of Chester. The said Commissioners shall enter into such bond and security as may be required by the said County Court of Chester—made payable to the Chairman thereof, conditioned for the faithful performance of their duties as required by this Act; a majority of said Commissioners shall constitute a board competent to do all things herein enjoined upon them. They shall keep a record of their proceedings as Commissioners, which shall be returned to the County Court of Chester county, at its first term, and the same shall be recorded by the clerk thereof, on the records of said court, and they shall make such returns after the organization of said court, as shall be directed thereby.

Vacancies.

To give bond.

SEC. 4. *Be it further enacted*, That it shall be the duty of said Commissioners, first giving thirty days notice in one public place or more, of the time and place to open and hold an election in one or more places in each of the fractions proposed to be stricken off from the counties of Madison, Henderson, McNairy and Hardeman, in order to ascertain whether two-thirds of the voters residing in each of the said fractions are in favor of, or opposed to, the formation of said new county of Chester, and all persons qualified to vote for members of the General Assembly, residing in said fractions, shall be entitled to vote in said elections, and each voter who is in favor of the formation of the new county, shall have on his ticket, "New County," and each voter opposed to the formation of said new county of Chester, shall have on his ticket, "Old County," and after counting the vote cast in said election, if it shall appear that there are two-thirds of the legal voters in each of said fractions in favor of the new county, then in that case, the county of Chester shall be, and is hereby declared a county, with all the privileges and advantages, and subject to all the liabilities and duties with other counties in this State.

Election in fractions.

SEC. 5. *Be it further enacted*, That in order to carry into effect, and make certain and accurate, the provisions in the fourth section of this Act, said Commissioners are

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hereby empowered and authorized to canvass and take the census of the qualified voting population in the bounds of the several fractions proposed to be stricken off from the counties of Madison, Henderson, McNairy and Hardeman, and if for any cause the election as herein provided shall not be held in any of said fractions, on the day appointed, said Commissioners shall provide for another election as herein provided in such fractions.

To take census.

SEC. 6. *Be it further enacted*, That for the due administration of justice, the different courts to be held in said county of Chester, shall be at such place or places as may be designated by said Commissioners, until the seat of justice shall be located, and all writs and other processes issued from said courts returnable to the place, shall be legal, and the courts of the county of Chester shall be under the same rules, regulations and restrictions of other counties of this State; shall have, "exercise," and possess the same power and jurisdiction as prescribed by law for holding courts in other counties, and said county shall be attached to the Eleventh Judicial Circuit, and the first Circuit Court shall be at the time designated by the Judge of said Circuit, and shall be attached to the Tenth Chancery Division, and the Chancery Courts shall be held at the time designated by the Judge of said Chancery Division.

Place to hold courts.

Attached to 11th Judicial circuit and 10th Chancery Division.

SEC. 7. *Be it further enacted*, That all officers, civil or military, now holding office in said county, shall continue to hold their offices and exercise all functions and powers thereof until others are elected and qualified according to the provisions of this Act; *Provided*, That nothing in this Act shall deprive the counties from which the fractions have been taken, from exercising and holding jurisdiction over the county of Chester and the citizens thereof, in as full and ample a manner as they now have, until the election of county officers takes place, according to the provisions of this Act.

Holding of officers.

SEC. 8. *Be it further enacted*, That said Commissioners are hereby empowered, and it shall be their duty to appoint five qualified and suitable persons to divide said county into not less than ten nor more than twelve civil districts, designating boundaries and places for holding elections in said districts, and performing all the duties relating thereto, which by the law of the State such commissioners are required to do.

Civil Districts.

SEC. 9. *Be it further enacted*, That the Commissioners appointed by this Act shall appoint such persons as they think proper to open and hold the election for county

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First election for county and district officers.

officers for the said county of Chester, and such persons so appointed shall have power to appoint deputies, clerks and judges, and by himself and deputies to administer all the necessary oaths and perform all other duties that are now made the duty of Sheriffs or other officers holding similar elections, and it shall be the duty of such persons so appointed, together with their deputies, after giving fifteen days notice, to open the polls and hold an election in each civil district in said county, for district and county officers, and the officers so elected shall hold their offices until the next regular election for the different officers so elected takes place in other counties.

SEC. 10. *Be it further enacted*, That it shall be the duty of the above named Commissioners, so soon as convenient after the full and complete organization of the said county of Chester, to select and put in nomination two or more suitable locations for the seat of justice of the said county of Chester, having due regard to health and convenience of a majority of the citizens of said county, neither of which places shall be more than three and a half miles from the supposed or probable center of said county of Chester, which places shall be voted for by the legal voters of said county of Chester, and the site nominated receiving the highest number of votes shall be, and is hereby declared to be the seat of justice of said county of Chester.

County site.

Erection public buildings.

SEC. 11. *Be it further enacted*, That it shall be the further duty of said Commissioners to superintend the erection of such public buildings as the County Courts of said county may direct to be built, and shall let the same out publicly, and shall take bond with good and and sufficient security, payable to themselves and their successors in office, conditioned for the faithful performance of his or their contracts. The proceeds of all donations, lands, town lots, or other gifts that may be made in consideration of the location of the seat of justice for the said county of Chester, or otherwise shall be a fund in their hands to pay the necessary expenses in organizing said county and paying for the erection of public buildings ordered to be built by the County Court, and should any surplus remain in their hands, it shall be their duty to pay over the same to the Trustee of the county, to be accounted for by him as other county money in his hands.

SEC. 12. *Be it further enacted*, That said Commissioners of Chester county be, and they are hereby authorized

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to exercise all powers and privileges conferred on them by this Act, and any and all other powers not in violation of the Constitution of the State that may be necessary and proper for the complete and setting up and organization of said county of Chester. Powers of Commissioners.

SEC. 13. *Be it further enacted,* That the citizens of Chester county in all elections for Governor, Members of the General Assembly, Representatives in Congress and Electors for President and Vice President, shall vote with the counties from which they have been respectively stricken off, until the next apportionment agreeable to the provisions of the fifth section of the Tenth Article of the Constitution of the State. Vote with old counties.

SEC. 14. *Be it further enacted,* That the fractions composing the said county of Chester shall be liable for their pro rata of the debts contracted and owing by the counties from which they were taken, and shall also receive their proportion of any stock or credits belonging to said old counties. Liability for old debts.

SEC. 15. *Be it further enacted,* That an Act passed March 19, 1875, entitled, "An Act to create a new county off of Madison, Henderson, McNairy and Hardeman counties, in the State of Tennessee," and all other Acts and parts of Acts in conflict with this Act be, and the same are hereby repealed. Repealing Act.

SEC. 16. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 1, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 4th, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER XLIII.

AN ACT to Regulate the Disinterment of Persons who died with Yellow Fever.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall not be lawful to disinter or remove the body of any person dying with yel

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low fever, within fifteen months after the death of such person, or when the thermometer indicates a temperature of more than 32° Fahrenheit, and any person violating the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be confined in the county jail, where such conviction is had, not less than three, nor more than nine months, and shall pay a fine of not less than one hundred dollars nor more than one thousand dollars, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 1, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 4, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER XLIV.

AN ACT to Reduce the Salary of the State Superintendent of Public Instruction to $1,995 per annum.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 4th of an Act entitled "An Act to establish and maintain a uniform system of Public Schools," passed March the 6th, 1873, be, and the same is hereby, so amended that the State Superintendent of Public Instruction shall have an annual salary of $1,995 instead of $3,000 as now provided by law.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 26, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 5, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER XLV.

AN ACT to change the time for holding the Circuit Courts for the County of Unicoi.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That after the next term of the Circuit Court for Unicoi County, the time for holding the Circuit Courts for said county shall be on the first Mondays of July, November and March, instead of the fourth Mondays of February, June and October, as now provided by law.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 26, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 5, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER XLVI.

AN ACT to establish the Entry Taker's Office.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That there shall be elected by the Justices of the County Courts, a majority of the Justices being present, at the April Term of the Court, or any Quarterly Term of said Court, every four years, an Entry Taker for any county of this State which may desire to have an Entry Taker, for their respective counties, said Entry Taker shall hold his office for four years, and until his successor is elected and qualified. That the county, if it revives the office of Entry Taker, may impose the duties upon the County Surveyor or Register, or elect some one else to fill the office.

County Court may elect Entry Taker.

SEC. 2. *Be it further enacted,* That all Entry Takers elected by virtue of this Act shall, before they enter up-

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on the duties of the office, take and subscribe an oath in open court to support the Constitution of the United States, and the State of Tennessee, and to faithfully, honestly and impartially discharge the duties of the office, and shall enter into a bond with good and sufficient security in the sum of five hundred dollars, to preserve the records of the office, said officer shall receive all the books and papers in the hands of the Entry Takers or Surveyors, who have been Entry Takers by virtue of a former law, and shall keep his office at the county seat of the County for which he may have been elected.

Oath and bond of.

SEC. 3. *Be it further enacted,* That all Entry Takers elected by virtue of this Act shall be allowed fifty cents for each entry, made in, his office, and twenty-five cents for receiving and recording said entry, and twenty-five cents for each certified copy of an entry, and ten cents for every search of the records of the office. That all laws and parts of laws inconsistent with the provisions of this Act be, and the same are hereby repealed, That this Act take effect from and after its passage, the public welfare requiring it.

Fees.

Passed February 26, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 5, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER XLVII.

AN ACT to amend an Act entitled "An Act to amend Sections 1277, 1284 and 1292, of the Code, and Chapter 8, Article III, of the Code, concerning Turnpikes," passed and approved March 26th, 1877, so as to make reports of Superintendents due annually instead of quarterly.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Sections 1 and 4 of Chapter CI, of the Acts of 1877, be so amended as to require the

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Superintendents of turnpike roads to make annual reports on the first Mondays in January of each year, instead of quarterly reports, as now provided by law. To report yearly.

SEC. 2. *Be it further enacted,* That on complaint made to the Judge or Chairman of any County Court, by any three parties accustomed to travel over any turnpike or toll bridge, the said Judge or Chairman is authorized to direct the turnpike Superintendents to visit that portion of the road or toll bridges complained of, and make a report of the condition of the same to the next term of the Quarterly Court.

SEC. 3. *Be it further enacted,* That all laws and parts of laws in conflict with this Act are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed February 28, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 5, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER XLVIII.

AN ACT to extend the time in which to collect taxes, and to amend an Act passed March 23d, 1875, entitled "An Act to more cheaply to collect the State, County and Municipal revenue," and the Acts amendatory thereto, passed March 26th, 1877, and January 29th, 1879.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That hereafter, it shall be the duty of the Clerks of the County Courts of this State to make out and deliver to the County Trustees of their respective counties, a certified copy of the tax books for their counties, on or before the first day of October in the years the assessment is made. Tax books delivered.

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When Trustee to collect.

SEC. 2. *Be it further enacted*, That it shall be the duty of the County Trustee, as soon as he receives said tax books, to proceed, as he is now required by law, to collect the taxes due thereon, and pay over the same monthly into the State or County Treasury to which said taxes are due, until the first day of September following the receipt of the tax books, when it shall be the duty of the Trustees to deliver to the Constables his certified statement of the uncollected taxes in their respective civil districts or wards, or to the Sheriff, as the case may be, who shall immediately proceed to collect said uncollected taxes by distraint if necessary, and said Constables and Sheriffs shall pay over monthly to the Trustee the taxes specified in said list and collected by them, which list they shall retain until the last day of November following the receipt of said certified statement from the Trustee, and in case of failure, said Constables and Sheriffs shall be subject to be proceeded against at the time and in the manner now provided by law, and it shall be the duty of said Constables and Sheriffs, on or before the last day of said month, to return said certified statements to the Trustee and make a final settlement with him, and pay over the balance of taxes in their hands.

When to deliver statement to Constables or Sheriff.

Final settlement.

Tax sale lands.

SEC. 3. *Be it further enacted*, That on the return of the certified statements to the Trustee he shall immediately advertise for sale all lands or real estate on which the taxes have not been paid as now required by law, and sell the same on the first Monday of the following January, and the same proceeding shall be had therein as prescribed by existing laws.

Errors and releases.

SEC. 4. *Be it further enacted*, That at the January Term of the County Court next succeeding the return of the tax list to him, the Trustee shall present his list of errors and insolvencies, and have the same considered and acted on by the Courts, and shall get his release and credits from the Courts for such errors and insolvencies, as now provided by law, and shall be allowed the same in his settlement with the Comptroller, Chairman of the County Court and Municipal authorities, as they are now allowed him by law.

Final settlement with Comptroller.

SEC. 5. *Be it further enacted*, That on or before the first Monday in May next succeeding his sale of lands for taxes and allowances of errors and insolvencies, the Trustee shall make a final settlement with the Comptroller for the State tax with which is chargable, and with the Chairman of the County Court for the county

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taxes, and pay the sum due from him to the proper parties.

When taxes due.

SEC. 6. *Be it further enacted,* That all State and county taxes hereafter levied, shall be due and payable on the first Monday of October for the year in which they were levied.

Municipal tax excepted.

SEC. 7. *Be it further enacted,* That municipal taxes shall be excepted out of this Act, and shall be collected at the times and in the manner now prescribed by law.

SEC. 8. *Be it further enacted,* That all laws and parts of laws inconsistent or in conflict with this Act are hereby repealed, and this Act take effect from and after its passage, the public welfare requiring it.

Passed February 26, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 5, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER XLIX.

AN ACT to amend an Act entitled "An Act to amend Section 2108 of the Code to increase exemptions in hands of the heads of Families," passed March 19, 1877.

For the exemptions sheep, bees and production.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That an Act entitled "An Act to amend Section 2108 of the Code to increase the exemptions in the hands of heads of families," passed March 19, 1877, be, and the same is, so amended that, hereafter, in addition to the articles therein enumerated, there shall be further exempt from execution, seizure or attachment, in the hands of heads of families, fifty head of sheep and the fleece that may be shorn from the same, and twenty-five stands of bees and the product of the same.

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SEC. 2. *Be it further enacted,* That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed March 3, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 6, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER L.

AN ACT to change and fix the times for holding the Circuit Court of Davidson County, and to amend Section 116*a* of the Code

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That hereafter the Circuit Courts of the County of Davidson, and State of Tennessee, shall be held on the second Monday of January, first Monday of May, and third Monday of September, and that all civil process heretofore or hereafter to be issued, is made returnable to said days instead of the fourth Mondays in January, the third Mondays of May, and the first Mondays of September.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 3, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 6, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER LI.

AN ACT to change the time for holding the Circuit and Chancery Courts for the County of Morgan, and to repeal that part of an Act entitled "An Act to change the time of holding the Circuit and Chancery Courts in the Counties of Cumberland and Morgan, State of Tennessee, passed March 9, 1875," which fixes the time of holding the Circuit and Chancery Courts in said County of Morgan on the fourth Mondays after the fourth Mondays in March, July and November.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Circuit and Chancery Courts for the county of Morgan, shall hereafter be held on the first Mondays of March, July and November, and that all Acts in conflict herewith be, and the same are hereby repealed.

SEC. 2. *Be it further enacted,* That this Act shall go into effect from and after its passage, the public welfare requiring it.

Passed March 1, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 6 1879.

ALBERT S. MARKS,
Governor.

CHAPTER LII.

AN ACT for the Benefit of Unfinished Railroads in the State of Tennessee.

WHEREAS, In consequence of the financial panic, through which we are passing, many railroad companies have been forced to suspend the work of construction; and, Preamble.

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WHEREAS, It is of great importance to the section of county through which the unfinished roads are to pass, that as far as possible such companies shall be encouraged to reorganize for the purpose of completing said roads as soon as practicable; and,

WHEREAS, In some instances, the time granted in the charter, within which roads were to be completed, has, or will expire soon, and without any extension of time, can not be completed; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That all railroad companies chartered by the Legislature of this State, which have not completed their roads, shall be granted two years further time from the date of the passage of this Act, for the completion of their roads, and the Acts of incorporation of said roads, in so far as they conflict with this Act, are hereby amended.

Two years further time.

SEC. 2. *Be it further enacted,* That Section 1 of Chapter 12 of an Act entitled "An Act as to the sale of railroads under mortgage, granting certain powers to purchasers, and authorizing incorporation of purchasers," passed March 12, 1877, and approved March 16, 1877, be so amended in the fifth line after the words "executed by it", as to read as follows: whenever the property and franchises of any railroad may have heretofore been sold, or may hereafter be sold, or may hereafter be sold under any judgment, decree, or process from any of the Courts of Record of this State for the payment of any debt due from said incorporated company the purchasers at said sale, or their assignees may organize into a corporate company or body, with the right to have, hold and operate the property and franchises so purchased, with all powers, rights, privileges and immunities, and subject to all the restrictions imposed by the original charter and amendments thereto of the corporation whose property and franchises have been sold.

Act amended.

SEC. 3. *Be it further enacted,* That the East Tennessee and Western North Carolina Railroad Company shall have the right, if they so desire, to change the location of their road from Doe River Cove, to the mouth of Elk, then from the mouth of Elk, the nearest and best route to the North Carolina State line, near Cranberry Iron Works; that said company, in the change of route aforesaid, shall have all the rights and privileges as to the right of way, as are provided in the original charter, and be subject to all the laws, as to damages for the right of way, as are provided by the original charter; *Provided,* that the

E. Tenn. & W. N. C. Road may change route.

Mississippi River Railroad, or Paducah and Memphis Railroad, or other company whose road is located through Dyer, Lauderdale and Tipton counties, be and the same is hereby expressly excepted out of the provisions of this bill; *Provided* further, that nothing in this Act shall be construed to prevent any person or company from completing by the first Monday in September, 1880, the road proposed to be extended through Dyer, Lauderdale and Tipton counties. Paducah and Memphis R. R.

SEC. 4. *Be it further enacted*, That this Act shall take effect from and after its passage, the public welfare requiring it; *Provided*, however, that all roads accepting the extension of time granted in this Act, shall surrender all exemptions from taxation claimed under their original charter and the amendments thereto, and shall have and be entitled to the benefits of the general law entitled an Act to provide for the organization of corporations, passed March 19, 1875, and approved March 23, 1875, that no road getting an extension of time to complete their road shall have any aid from the State to iron their road so completed, nor for no other purpose. Surrender exemptions.

Passed March 4, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved, March 6, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER LIII.

AN ACT to Provide for a Notary Public in the First and Seventh Civil Districts of Meigs County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the County Court of Meigs County, at its April Term, 1879, or any quarterly term thereafter,

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be empowered to elect a Notary Public for the first civil district, of said county, who shall keep his office within one mile of Georgetown, in said district and county, and who shall hold his office four years.

SEC. 2. *Be it further enacted*, That the County Court of said county of Meigs at its April Term, 1879, or any quarterly term thereafter, be also empowered to elect a Notary Public for the seventh civil district of said county, who shall keep his office within one mile of "Ten Mile Stand," in said district and county, who shall his office four years.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 5, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES.
Speaker of the House of Representatives.

Approved March 8, 1879.

ALBERT S. MARKS,
Govenror.

CHAPTER LIV.

AN ACT to Authorize Municipal Corporations having a population of not less than twenty thousand, nor more than forty thousand inhabitants—according to the Federal census of 1870 to issue coupon bonds to the amount of three hundred thousand dollars.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Mayor and City Council of any incorporated city or town in the State of Tennessee, having a population of not less than twenty thousand nor more than forty thousand inhabitants, according to the Federal census of 1870, are hereby authorized in their corporate capacity to issue the bonds of said city or town, signed by the Mayor and countersigned by the Recorder, with interest coupons attached, which shall be signed by

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the Treasurer of said city or town, to an amount not exceeding three hundred thousand dollars.

SEC. 2. *Be it further enacted,* That the bonds herein provided for, may be executed of denominations from one hundred dollars to one thousand dollars, at the discretion of said corporate authorities, and shall mature at such times, from one to thirty years, as may be fixed by ordinance, and shall bear interest at the rate of six per cent. per annum, payable semi-annually; *Provided,* that such bonds shall be issued only to holders of *bona fide* claims against said city or town at par in liquidation of such claims, and to such others are willing to take them at par; *Provided,* that such bonds shall be issued only to holders of bonds or coupons already outstanding and and legally issued against said city or town, and are now, or shall, within the next two years, become due; and *provided* further, the new bonds shall not be exchanged for bonds or coupons now outstanding at less than their par value, and that all bonds issued otherwise than in accordance with the provisions of this Act, shall be null and void.

Passed March 5, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 8, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER LV.

AN ACT to Attach the Lands of William Phillips to Cocke County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the line between the counties of Cocke and Jefferson be so changed as to include all the lands of William Phillips in Cocke county.

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SEC. 2. *Be it further enacted,* That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed March 5, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 10, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER LVI.

AN ACT to Attach the Island Farm of John Vance, jr., to Jefferson County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the island farm now owned by John Vance, jr., lying and being situated in Holston River, Grainger County, be and the same is hereby attached to the County of Jefferson.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 5, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 10, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER LVII.

AN ACT to change the County Lines between Giles and Marshall, Humpheys and Perry, and Rutherford and Cannon Counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That an Act, passed June 30, 1870, entitled "An Act to change the county line between the counties of Giles and Marshall," be so amended, that hereafter the county line between said counties be so changed as to throw all the lands in which W. T. Marsh now resides, and that are connected with, or a part of the tract on which he resides in the County of Marshall, instead of Giles, as they are under the Act of June 30, 1870, and that said county line shall hereafter run on the south boundary of said land, instead of the north boundary, as heretofore.

SEC. 2. *Be it further enacted,* That the line between the counties of Humphreys and Perry be so changed, so as to include the lands of G. D. Hays, T. B. Smith, S. W. Goodman, J. H. Goodman, A. D. Goodman, A. G. Goodman, W. F. Goodman, J. M. Gray, J. L. Phelps, G. T. Phelps and J. A. Wooten in Humphreys County, the line to run as follows: Beginning at W. S. Smith's, on the south line of Humphreys County, in civil district No. 4, of said county, at the present county line on Blue Creek; thence southeast, with the dividing ridge between Crooked Creek and the said Blue Creek to Buffalo River, and thence to intercept the county line at the mouth of the Phelps branch.

SEC. 3. *Be it further enacted,* That the line between the counties of Rutherford and Cannon be changed so as to include all of A. M. McKnight farm in the County of Rutherford.

SEC. 4. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 5, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 10, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER LVIII.

AN ACT to change the County Line between the Counties of Warren and Van Buren.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That an Act passed on the 15th day of December, 1871, and approved December 16, 1871, changing the county line between the counties of Warren and Van Buren, be, and the same is hereby repealed, and that the line between the counties of Warren and Van Buren be re-established as they were before the enactment of the aforesaid Act, which this Act is intended to repeal, except the farm of Wm. L. Steakley, which is to be and remain in the County of Warren.

SEC. 2. *Be it further enacted,* That the line of the counties of Warren and Van Buren be further changed, so as to include the mills and lands adjacent thereto, known as the Goodbar Mills, now belonging to Harmon York and George E. Kell, be attached to the County of Van Buren, also the lands belonging to the estate of O. C. Craine, deceased, be also attached to the County of Van Buren.

Further change of county lines.

SEC. 3. *Be it further enacted,* That all laws and parts of laws in conflict with this Act, be, and the same is hereby repealed, and that this Act take effect from and after its passage.

Passed March 5, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 10, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER LIX.

AN ACT to amend the Exemption Laws.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That section 2109*a* of Thompson & Steger's edition of the Code, be, and the same is here by so amended as to provide, that there shall be exempt-

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ed from execution in the hands of each mechanic, who is the head of a family, two hundred dollars worth of lumber or material, or products of his labor, either in a finished or unfinished state.

Passed March 3, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 10, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER LX.

AN ACT to attach the lands of David G. Jackson to Wilson County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the line between the counties of Wilson and Trousdale, be so changed, as to include all the lands of David G. Jackson in Wilson County.

SEC. 2. *Be it further enacted,* That this Act shall take effect, from and after its passage. the public welfare requiring it.

Passed March 5, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 10, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER LXI.

AN ACT to Attach the Lands of J. W. Woods to Wilson County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the lines between the counties of Smith, DeKalb and Wilson, be, and the same are

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hereby so changed, as to detach all that part of a tract of land owned by J. W. Wood, from the counties of Smith and DeKalb, and attach the same to the County of Wilson; *Provided* that nothing in this Act shall be so construed, as to reduce the counties of Smith and DeKalb below their constitutional limit, nor bring the lines thus designated nearer the Court Houses of Smith and DeKalb counties, than eleven miles.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 3, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 10, 1879.

ALBERT S. MARKS.
Governor.

CHAPTER LXII.

AN ACT to Repeal a part of an Act passed March 19, 1877, entitled "An Act for the protection of fish in the counties of Robertson, Montgomery, Maury, Gibson, Madison, Stuart, Franklin, Loudon, Monroe, Hawkins, Henry and Crocket, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennéesee,* That so far as the Act passed March 19, 1877, as mentioned in the caption of this Act, refers to the County of Hawkins, be, and the same is hereby repealed.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 5, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 10, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER LXIII.

AN ACT to amend Section 4614 of the Code.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That section 4614 of the Code be so amended as to read, that any person who shall commit an assault and battery upon a female, under the age of ten years, with the intent to unlawfully and carnally know her, shall, on conviction, be punished as in case of rape.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 7, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 11, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER LXIV.

A Bill for the Relief of Blount County.

AN ACT to Repeal Section 16 of an Act, passed January 27, 1854, entitled "An Act, to authorize the County Court of Blount County, to subscribe stock in the Knoxville and Charleston Railroad Company, and issue County Bonds in payment of the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That section 16 of an Act passed January 27, 1854, to authorize the County Court of Blount County, to subscribe stock in the Knoxville and Charleston Railroad Company, and issue county bonds in payment of the same, be, and the same is hereby repealed, and that this Act shall take effect from and after its passage, the public welfare requiring it.

Passed March 7, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 11, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER LXV.

A BILL to make Copies of Papers from the County Entry Taker Office's Evidence in the Courts of this State.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the records, books and papers belonging to the County Entry Takers offices in this State, be filed in the Register's office of the county, that the Registers carefully preserve the same, and on application, it shall be his duty to issue certified copies of said records, books and papers, or any part thereof, for which he shall receive as compensation for his services, twenty-five cents for each paper so certified, which copies shall be received as evidence in any of the courts of this State.

SEC. 2. *Be it enacted, etc.,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 7, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 11, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER LXVI.

AN ACT to Change the Time of holding the Circuit Court at Shelbyville, Bedford County, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That so much of section 116*a* of the revised Code of Tennessee, as applies to the time of holding the Circuit Court at Shelbyville, Bedford County, Tenn., be so amended, as to read on the first Tuesdays of April, August and December.

SEC. 2. *Be it further enacted,* That all process which is now, or may hereafter be made returnable to any other times, than those fixed by this Act, shall be transferred

to the time fixed by this Act, and shall have as full, free an effect as though no change of the time had been made.

SEC. 3. *Be it further enacted,* That all laws, or parts of laws, in conflict with this Act be, and the same are hereby repealed.

SEC. 4. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiriug it.

Passed March 7, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 11, 1879.

ALBERT S. MARKS,
Governor

CHAPTER LXVII.

AN ACT to amend an Act, passed November 24, 1869, to Charter the Town of Gallaway.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That that portion of Section 3 of an Act passed November 24, 1869, to charter the Town of Gallaway, authorizing the election of a Mayor and six Aldermen be repealed, and that said section be so amended as to read, that the qualified voters of the Town of Gallaway, be authorized to elect three Aldermen, and that they elect one of their number as Mayor and Recorder.

SEC. 2. *Be it further enacted,* That that portion of Section 5 of said Act, allowing one dollar per day to prisoners working on the corporation of the said Town of Gallaway, be so amended as to read fifty cents per day. Price of labor.

SEC. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 7, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 11, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER LXVIII.

AN ACT to repeal Sections 38, 39, 40, 41, 42, 43, 44, 45, 46, 47. 48, 49 and 50, of an Act passed February 17, 1870, incorporating the Town of Adamsville, McNairy County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Sections 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49 and 50, incorporating the Town of Adamsville, McNairy County, be, and the same are hereby repealed.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 7, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 11, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER LXIX.

To reduce the salary of the Superintendent of the Tennessee Hospital for the Insane.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the salary of the Superintendent of the Tennessee Hospital for the Insane, be, and the same is hereby reduced, from three thousand to two thousand dollars per annum.

SEC. 2. *Be it further enacted,* That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed March 7, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 11, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER LXX.

To authorize the sale of certain property herein mentioned.

WHEREAS, The Hazard Powder Company, by petition to this General Assembly of Tennessee, sets forth the fact that the legal title in and to a certain parcel of land mentioned in said petition, lying in Shelby county, Tennessee, near Memphis, being a part of lots 26 and 27, in E. S. Todd's plan, of a tract of land sold by J. S. Claybrooks to the Union Bank of Tennessee, in 187 , containing three acres, and being one acre laid off on the eastern end of said three acre parcel and including the brick powder magazine thereon, bounded north by Henry avenue, and east by the east line of said three acre tract, which land is in their possession, and has been so held under cover of title since 1871, and asks the enactment of a law providing for the sale of said land, to enable said petitioners to perfect their title; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Governor be, and is erein authorized to cause a full investigation made by the proper officer, of all the facts relating to the said land, and to sell the same in such manner and upon such terms, as in his judgment will best subserve the interests of the State, and to invest in the purchaser or purchasers all the right, title and interest the State has in and to said land, the amount received therefor, to be paid into the Treasury of the State.

To be investigated and sold.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage.

Passed March 7, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 11, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER LXXI.

AN ACT to repeal the charter of Johnson City, Tennessee, and to abolish the Corporation.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Sections 112, 113, 114 and 115, of an Act passed December 1, 1869, entitled "An Act, to reduce the charter of the City of Memphis, and the several Acts amendatory thereto, into one Act, and to revise the same," be, and the same are hereby repealed.

SEC. 2. *Be it further enacted,* That the charter of Johnson City, Tennessee, be, and the same is hereby repealed and the incorporation of said town abolished.

Disposition of books, papers, etc.

SEC. 3. *Be it further enacted,* That the Mayor and other officers of said town shall, within thirty days after the passage of this Act, deposit all books, records and papers belonging to their respective offices, with the Clerk of the County Court of said county for safe keeping, and said Clerk shall keep said books, records and papers, as other county records are kept.

SEC. 4. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 7, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 11, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER LXXII.

To Amend Section 3542 of the Code.

Be it enacted by the General Assembly of the State of Tennessee, That Section 3542 be amended so as to read, "and the person entitled to the rent may recover from the pur-

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chaser of the crop or any part of it the value of the property, so that it does not exceed the amount of the rent and damages.

Passed March 10, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 11, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER LXXIII.

AN ACT to change the time of holding the Chancery Court at Trenton and Humboldt, in the 11th Chancery Division.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Chancery Court at Trenton shall hereafter be held on the first Mondays of May and November. That the Chancery Court at Humboldt shall be held on the first Mondays of Jaunary and July.

SEC. 2. *Be it further enacted,* That all process and papers of every kind, made returnable to the Chancery Courts at Trenton and Humboldt, are hereby made returnable to the times as mentioned in this Act for holding said courts.

SEC. 3. *Be it further enacted,* That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed March 7, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 11, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER LXXIV.

AN ACT to Abolish the Corporation of the Town of Madisonville, and to repeal an Act entitled "An Act incorporating the Town of Madisonville, Monroe County, passed April 18, 1866.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the corporation of the Town of Madisonville, in the County of Monroe, be, and the same is hereby abolished.

SEC. 2. *Be it further enacted,* That Chapter 69, Sections 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10, of the Acts of 1865 and 1866, entitled "An Act incorporating the Town of Madisonville, Monroe County, passed April the 18th, 1866," be and the same is hereby repealed.

SEC. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 7, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 11, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER LXXV.

AN ACT to Change the name of East Tennessee University.

WHEREAS, At a regular meeting of the Board of Trustees of East Tennessee University, a resolution was unanimously adopted, recommending and requesting that the name of said institution be changed to that of "The University of Tennessee."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the request and recommendation of said Board of Trustees are hereby granted

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and endorsed, and the name of the East Tennessee University is hereby changed to the University of Tennessee, by which style and title said institution shall hereafter be known and designated.

SEC. 2. *Be it enacted*, That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed March 10, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives
J. R. NEAL.
Speaker of the Senate.

Approved March 11, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER LXXVI.

AN ACT requiring Judges and Chairmen of County Courts to execute Bonds for the faithful discharge of their duties as accounting officers and financial agents of their counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That all Chairmen and Judges of County Courts shall hereafter, before entering upon the discharge of their duties, enter into bond with good and sufficient securities, to be approved by the Quarterly Courts, in such penal sums as said Courts may fix, payable to the State of Tennessee, for the use of their respective counties—conditioned for the faithful discharge of their duties as accounting officers and general agents of their counties, during their official terms, as set forth in Section 421 of the Code of Tennessee, and the sub-sections thereunder, and Section 421*a*.

SEC. 2. *Be it further enacted*, That all the present incumbents of said offices shall execute the bonds required by this Act, at the April Term, 1879, of said Quarterly Courts; *Provided*, that in case any Chairman or County Judge fail to give bond as required by the first Section of this Act, at the April Term of the County Court, 1879, then it shall be the duty of the Clerk of the Court in

Present incumbents to execute bonds.

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which defaults occurred, as soon thereafter as convenient, to notify the Chairman or County Judge so failing to give bond to appear at the July Quarterly Term, 1879, and enter into bond as required by the first Section of this Act—and in case of failure, the Court shall declare the office of such Chairman or County Judge vacant, and proceed to fill the same in the manner now provided by law.

SEC. 3. *Be it further enacted*, That Judges and Chairmen of the County Courts in this State shall make written reports semi-annually to the County Courts, showing all moneys received and paid out, and a full and a complete statement of the financial condition; and said reports shall be entered upon the minutes of the Court, and said Judges or Chairmen shall settle their accounts once each year; and it shall be the duty of the Justices of the Peace of each county to appoint a Committee to settle with said officers—and a failure of said officers or any one of them to comply with this Act, his office shall be declared vacant, and subject to all other penalties prescribed in this Act.

Semi-annual reports.

SEC. 4. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 7, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 11, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER LXXVII.

AN ACT to amend the School Law.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That persons living on each side of the county line, and not convenient to a public school

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in their respective counties, may form themselves into a school district jointly, or attend the nearest school, be it in the adjacent district or county—the children of each county drawing their respective *pro rata* of public school money; *Provided*, that the School Directors of the school districts adjoining said county line, may agree as to the number of scholars taken from each county to form said district.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 5, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 11, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER LXXVIII.

AN ACT to repeal Section 7 of an Act entitled, "An Act to establish a Recorder's Court in the Towns of Shelbyville, Murfreesboro, Franklin, Tullahoma, Fayetteville, Winchester and Manchester, and for other purposes," December 12th, 1865, and to establish the boundary line of the corporation of Murfreesboro, and exempt farm and uncultivated lands from taxation by said corporate authorities.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 7 of an Act entitled, "An Act to establish a Recorder's Court in the Towns of Shelbyville, Murfreesboro, Franklin, Tullahoma, Fayetteville, Winchester and Manchester, and for other purposes," be and the same is hereby repealed.

SEC. 2. *Be it further enacted*, That the boundaries of the corporation of Murfreesboro be as follows: Beginning at the northwest corner of Evergreen Cemetery, thence south 1¼° north, with the west boundary line of

Boundaries.

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said Cemetery 30 poles to a stake; thence north 89° west, with the south boundary line of L. M. Maney's lawn, 70 poles to the southwest corner of the same; thence north 85° west, 90 poles to J. W. Sheron's northwest corner, on the east side of the Lebanon turnpike road; thence south 45½° west 169 poles, to a stake on the west side of the Nashville turnpike road; thence south 6½° west 102 poles, to the middle of the N. & C. R. R.; thence south 40½° east, with the middle of said railroad, 70 poles, to the end of the R. R. bridge, below the depot; thence up the N. E. bank of Lytle Creek, north 14° east 14 poles, south 46° east 58 poles, south 31° east 16 poles, south 15° east 19 poles, to a stake on the east bank of said creek, opposite or N. 88½° west from Adam Bock's S. W. corner; thence south 88½° east 40 poles, passing Adam Bock's S. W. corner, and continuing with his south boundary line to his S. E. corner on the west side of the Shelbyville turnpike road; thence north 73½° east 118 poles to a stake in Sam Soloman's E. boundary line at the east end of his blacksmith shop, and 3 poles from the middle of the Manchester turnpike road; thence north 68½ poles to a stake in the north side of State street; thence south 87° E. with the north side of said street 110½ poles to a stake, 1½ poles north 87° west from E. D. Hancock's southwest corner of his seven-acre lot; thence north 1½° east with the west side of a street 42½ poles to Eagleton's S. E. corner of said Hancock's garden and yard fence, 20 poles to the south side of the Woodbury turnpike road; thence south 88° east with the south side of said pike, 18 poles to a stake opposite the S. E. corner of Union University campus; thence north 1° west 41¼ poles with the east boundary line of said campus, to the N. E. corner of the same; thence N. 29° W. 120 poles to the middle of Liberty turnpike road, the S. E. corner of said Cemetery; thence N. 1¾° west with the east boundary line of said Cemetery, 77 poles to the N. E. corner of the same; thence N. 89½° W. with the N. boundary line of said Cemetery 42½ poles to the beginning.

Sec. 3. *Be it further enacted*, That all parcels of land within the foregoing boundaries not improved and used for farming purposes, or that are uncultivated, exceeding one acre, and not within the corporate boundary of 1850, shall be free from municipal taxation until improved, and when an improvemet shall be made, one acre, together with the improvements thereon, may be subjected to taxation.

Taxation.

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SEC. 4. *Be it further enacted,* That all laws and parts of laws in conflict with this Act, be and the same are hereby repealed, and this Act take effect from and after its passage, the public welfare requiring it.

Passed March 10, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 11, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER LXXIX.

AN ACT for the more rigid collection of the revenue.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That all collectors of taxes are hereby made assessors, to assess all property which by mistake of law or facts has not been assessed, and it is hereby made the duty of such collectors, in all cases whereby property has not been assessed, but on which taxes ought to be paid by law, to immediately assess the same and proceed to collect the taxes, and if the owner of the property admits the liability of the property to taxation but disputes the assessment he may have a revaluation before the Judge or Chairman of the County Court at any time within one month, and in such case the Judge or Chairman aforesaid may hear proof and fix the assessment or valuation, and this shall be final.

Collectors to assess.

Revaluation.

SEC. 2. *Be it further enacted,* That in case the owner of the property denies the right of the State, county, city or town, to tax his property, and claims that it is exempt by virtue of the Constitution or any law or ordinance, but raises no question as to the amount or value fixed in assessing the property, then such collector shall submit the facts to the Comptroller as to the State tax to the Judge or Chairman of the County Court as to the county tax, and to the Mayor of the city or town as to the municipal corporation taxes, and if by these several officers or any one of them he is directed to proceed to

Right of State denied.

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How to proceed.

the collection of the taxes, he shall immediately and without any delay obtain from any Justice of the Peace of his county, a warrant or warrants for said taxes and which shall be served on the owner of said property, and set for trial before some Justice of the Peace in said county and the warrants may be for the State, county and municipal corporation taxes jointly or separately, and all Justices of the Peace are hereby given jurisdiction to try all such cases, no matter what the amount, and the same shall be tried without delay with the right to appeal to either party to the Circuit Court, and the appeal shall go the next succeeding term unless the court is in session to which the appeal is taken, and in that case the appeal shall be to the term being held and shall be entered and tried at that term.

SEC. 3. *Be it further enacted,* That in case the owner of the property disputes both the assessment as to amount and the right to tax his property, then he shall be allowed 10 days to have a re-assessment before the Judge or Chairman of the County Court, and at the end of the 10 days the tax collector shall proceed as under the second Section.

Appeals to have precedence

SEC. 4. *Be it further enacted,* That in cases arising under this law, it shall be the duty of courts, the Circuit and Supreme Courts, in case of appeal to hear and determine the questions arising in preference to all other cases.

Collector to make oath.

SEC. 5. *Be it further enacted,* That every collector of taxes making assessments and collecting taxes under the provisions of this Act, shall keep a book upon which he shall enter all property assessed by him, giving a description of the property so assessed, the amouut of taxes so collected, and upon his final settlement the Comptroller and with the County Court shall file a copy of the same under oath, stating that said copy contains a true and a perfect list of all taxes so collected by him.

SEC. 6. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 7, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 12, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER LXXX.

AN ACT to declare Red River navigable from its mouth to Port Royal, in Montgomery County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Red River is hereby declared navigable from its mouth to Port Royal, in the County of Montgomery.

SEC. 2. *Be it further enacted,* That all laws or parts of laws in conflict with this Act, are hereby repealed, especially an Act passed June 27th, 1870, and aproved June 29th, 1870, declaring said river unnavigable.

SEC. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 8. 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 12, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER LXXXI.

AN ACT to protect shippers, and to regulate wharfage.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That hereafter no owner, lessee or his agent, in charge of a wharf, upon any of the rivers of this State where the same is kept or used for profit, shall be entitled to make or collect any charge whatever for wharfage, or the landing of boats, unless the said

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wharf shall at the time of making such charge be in good repair, McAdamized and cobblestoned; when it is not convenient to get stone the owner of the wharf or bank may use such other material as will put and keep the same in repair.

SEC. 2. *Be it further enacted,* That failure upon the part of any one having charge of such wharf to keep the same in repair as above described, shall be a misdemeanor and subject such person or persons to a fine of not more than fifty nor less than ten dollars, half of which shall go the county where such wharf is situated, the other to the informer in the case.

Misdemeanor.

SEC. 3. *Be it further enacted,* That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed March 10, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 12, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER LXXXII.

AN ACT to alter and change the boundaries of the Corporation of the City of Edgefield.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the boundaries of the corporation of the Town of Edgefield, in the County of Davidson, be so changed as to leave all that portion of said town contained in the following boundaries outside of said town, commencing at the corner of Cook and Finn's line, on the Gallatin Turnpike, running down the center of said Gallatin Turnpike or Main street, to Brown street; thence down the center of Brown street to Mareno street.

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SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 10, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 13, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER LXXXIII.

AN ACT to repeal the law incorporating the Town of Jasper, in Marion County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the law incorporating the Town of Jasper and the inhabitants thereof, by the name and style of the "Mayor and Aldermen of the Town of Jasper" be, and the same is hereby repealed.

SEC. 2. *Be it further enacted,* That all laws and parts of laws in conflict with this Act, and especially Sections 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, and 50 of an Act, passed February 24th, 1870, entitled "An Act to incorporate the Memphis Real Estate Association and for other purposes," be and the same are hereby repealed.

SEC. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 10, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 13, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER LXXXIV.

AN ACT to amend an Act entitled "An Act to establish Taxing Districts in this State and to provide the means of Local Government for the same," passed January 29th, 1879, and approved January 31st, 1879.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section three (3) of an Act passed January 29, 1879, entitled "An Act to establish taxing districts in this State and to provide the means of Local Government for the same," be and the same is hereby amended so as to read: That the Local Government established by this Act shall have power to establish work-houses, and houses of correction, to declare by local laws what acts shall be misdemeanors and when committed within the taxing district to punish the offenders, by fines and forfeitures and by imprisonment and labor within and without the work-house in default of payment of the fines imposed aspunishment; to cause the arest of all vagrants, tramps and drunken and disorderly persons, within the taxing district, and provide for the punishment of the same in the manner above provided; to prohibit by fine the introduction of paupers into the taxing district by steamboats, railroads or other carriers of persons; to regulate, control and suppress disorderly houses and houses of ill-fame; to regulate, control and suppress gaming houses and to punish gaming by fine and imprisonment; and to arrest and confine for trial or take forfeit for the appearance for trial, all persons charged with offences which are punished as misdemeanors by the laws of the State and the taxing district. All necessary judicial authority is hereby invested in the President of the Board of Fire and Police Commissioners, to hear and determine all cases of offenders against the ordinances or local laws of said taxing district. Authority is hereby conferred on him to administer oaths and impose fines or to commit such offenders, when found guilty, under the said ordinances or local laws of said taxing district and he shall be *ex officio*, a Justice of the Peace; *Provided*, that the fees and compensation received by him as such justice shall be credited on the salary of

Work-houses.

Prisoners to work out fines.

Judicial authority.

Fees.

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$2,000 allowed him under the Act to which this Act is an amendment and if such fees amount to $2,000 or more per annum, he shall receive no other compensation. Said government shall have the power to pass all laws to preserve the health of the taxing district, to define, prevent and remove nuisances within the taxing district and for a distance of one mile outside of the same; to make quarantine laws and enforce the same within ten miles of the taxing district; to prevent the introduction of contagious diseases into the taxing district; to establish and regulate hospitals in accordance with the present laws of the State; to prohibit the erection of soap factories or houses for curing green hides and slaughter pens or factories, and all houses of like character. They shall have power, and it shall be their duty, to condemn as nuisances all buildings, cisterns, wells, privies, and other erections in the taxing district, which, on inspection, shall be found to be unhealthy, and cause the same to be abated unless the owners thereof, at their own expense, upon notice, shall reconstruct the same in such manner as shall be prescribed by the laws of the taxing district; and as all buildings, cisterns, wells, privies and other private improvements, to be constructed in future, they shall have the power, and it shall be their duty, to have the same so constructed as not to interfere with the health of the taxing district. They shall have power and it shall be their duty, to provide that the taxing district is from day to day, and every day, kept in a clean and healthy condition, the yard and premises of every occupant of every dwelling, out-house, office, store, shop, or other place of business, including the cellars and other places having unhealthy material are cleaned and so kept by such occupant every day, at his own expense, and to prohibit by proper laws and penalties every such occupant from throwing or putting any trash or improper materials in the streets, alleys or sidewalks, except for the purpose of removal; to require such occupant daily to deposit all unhealthy material in the street near by, in some suitable vessel, to be provided by the occupant at his or her own expense, to be carried off by the public carts and rendered harmless; to compel lot owners to make safe and proper sidewalks of brick or plank adjoining their lots; to designate and establish fire limits in which wooden buildings shall not be erected; to prevent the erection of buildings dangerous to other improvements, and to remove them when erected without their consent; to regulate the manner of building partition

Nuisances.

Sanitary.

Fire limits.

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walls, parapet walls, and partition fences; to regulate fire works, stovepipes and flues, in all shops, kitchens and other like places; to regulate the keeping and storage of gunpowder, coal oil and other combustible articles, and to prevent the same from being stored within the limits of the taxing district or within one mile of the same; *Provided*, that sidewalks shall not be required to be laid down on any street until the same has been graded, curbed and guttered with brick or stone by the Board of Public Works. They shall have power to make, preserve and improve, steamboat and flatboat landings and all wharves within the taxing district; to regulate the anchorage and mooring of boats and water crafts at landings in the taxing district, and to prohibit or regulate wharfboats; to establish inspection laws for the inspection, weighing and measuring, of all kinds of provisions, provender, and fuel for man and beasts, and to provide for the gauging and inspection of all kinds of liquors and illuminating oils, but no charge shall be made for testing any measure, article or vessel, for which a fee has once been paid to any officer acting under and by authority of this Act, and having on said measure, article, or vessel, a stamp or brand of an inspection officer; to permit and regulate the laying of railroad tracks or iron, and the passage of railroad cars through the taxing district, and to remove such railroad track if it obstructs travel or does not conform to the laws of the taxing district; to make all suitable and proper regulations in regard to the use of the streets for street cars, and to regulate the running of the same so as to prevent injury or inconvenience to the public; to forbid the opening and digging up of the streets by gas or water companies to the public detriment; to regulate wells, cisterns, hydrants and fire plugs, and to convey water into the taxing district from the vicinity; to establish and regulate markets and market houses; to make provision for lighting streets, alleys and other public places in front of churches, jails and other public buildings in the taxing district, and to erect all necessary public buildings; to repair and keep in repair streets, sidewalks and other public grounds and places in the taxing district; to open and widen streets, to change the location or close the same, and to lay off new streets and alleys when necessary, and to have and exercise entire control over all streets and other public property of the taxing district as well that within as that without the taxing district, and they shall have power over all other affairs in the taxing district in

Pavements and sidewalks.

Wharves.

Inspection.

Obstructions.

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which the peace, safety or general welfare of the inhabitants are interested.

SEC. 2. *Be it further enacted*, That Section eight (8) of the Act mentioned in the caption of this Act be and the same is hereby amended to read: That said Police and Fire Commissioners shall fix the pay of policemen and firemen as follows: Chief of Police, not exceeding $125 per month; Chief of the Fire Department, not exceeding $125 per month; Captains of Police, not exceeding $90 per month; Sergeants of Police, not exceeding $80 per month; Captains of Fire Department, not exceeding $75 per month; Engineers in Fire Department, not exceeding $75 per month; policemen and subordinates, not exceeding $60 per month; firemen and subordinates, not exceeding $60 per month. Pay of officers and men.

SEC. 3. Be *it further enacted*, That Section nine (9) of said Act be amended so as to read: That an annual tax is hereby levied on all the taxable property, real and personal, including merchants' capital and all others who are assessed for *ad valorem* taxes on capital invested, bank stocks and other stocks, subject to tax within the territorial limits of such extinct corporations, as follows, viz: Twenty cents on each $100 worth of taxable property, to defray the expenses of the Police Department; twenty cents on each $100 worth of taxable property, to defray the expense of the Fire Department; ten cents on each $100 worth of taxable property, to defray the expense of lighting streets and public buildings; ten cents on each $100 worth of taxable property, for the maintainance of public schools; five cents on each $100 worth of taxable property to defray the expenses of the hospital of the taxing district; fifty cents on each $100 worth of taxable property, for the repair and paving of the streets and bridges, and construction of sewers, drains and sanitary purposes; and an annual tax on all privileges exercised within said limits and not above enumerated in this Section and taxed by *ad valorem* assessment equal to one-half of the tax imposed thereon for State purposes, said privilege tax to be applied to the paving of streets and construction of sewers or drainage of said territory. All monies derived from fines and forfeitures, market rents and inspection fees, shall be paid over to said Trustee and held for payment of salaries of Commissioners, Engineers, printing, stationery and other expenses, and a poll tax of one dollar upon all taxable polls which shall be used for hospital purposes; said tax shall be collected by the County Trustee in lawful money of the United States as Tax. How moneys are to be expended.

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other State taxes are collected; each fund by him to be kept separate and to be paid out by him for the purposes specified, upon joint warrants of two of said Commissioners. In no case shall the fund collected for one purpose be used for any other, nor shall said Commissioners issue any warrants, unless the money is in the hands of the Trustee at the time to redeem them, under penalty of being personally liable for the amount recoverable by the holder of the warrant. The tax levied under this Act for the year 1879, shall be due and collectable immediately; the assessment heretofore made for the year 1878 shall be the assessment for the year 1879, for the taxing districts. The valuation of merchants' capital for taxation in the taxing district shall be the same as that for State and County purposes. *Be it further provided,* If any improvements have been removed or destroyed by fire since the assessment was made for the year 1878, the Quarterly Court of the county in which the taxing district is situated, shall, on application, allow the proper reduction on the assessment of 1878, which is hereby declared to be the assessment of the taxing district for the year 1879, and the assessments hereafter made by the assessors for State and county purposes, shall be the assessment for the taxing districts for the following year; *Provided,* however, that the assessment of 1878, hereby adopted as the assessment for 1879 for local taxing district purposes, shall be, and hereby is, reduced ten per cent. on all real and personal property, including merchants' capital and privileges, as now defined in the Act to which this Act is an amendment; *Provided further,* that so much of the tax on merchants' capital and privileges as may be necessary to secure prompt payment of wages to the police and firemen, or for hospital purposes, be and the same shall be set apart from the collections of each and every year; and *provided,* that whenever an appropriation of the privilege fund is made as hereby provided, it shall not be a misappropriation.

Release from assessments.

SEC. 4. *Be it further enacted,* That Section ten (10) of the said Act be amended so as to read: That there is hereby levied a wharfage tax, upon all steamboats and other water crafts landing at such territory, to grade and pave such wharf, and keep the same in proper and safe condition for use, as follows, viz.: All steamboats, barges, and steamboat hulls, used as barges, shall pay five cents per ton, which shall entitle them to all the privileges of the wharf and landing, to receive and discharge freight and passengers for the space of six days, and two cents

Wharfage tax.

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per ton for each twenty-four hours they may remain after the expiration of six days, except such steamboats as make two or more trips a week, they to pay half the above rates of wharfage each trip, but in no case shall they be required to pay in the aggregate more than is paid by boats of the same tonnage for the same time; *Provided*, that all steamboats and barges, and steamboat hulls used as barges, that remain at the landing for the space of six hours or less, shall pay the following rates of wharfage, viz.: for 100 tons and under, $5; from 100 to 200 tons, $6; from 200 to 300 tons, $7; from 300 to 400 tons, $8; from 400 to 500 tons, $10; from 500 to 700, $12; from 700 to 800 tons, $14; from 800 to 900, $16; from 900 to 1,000 tons, $18; from 1,000 and upwards, $20, and one-half the above rates for each additional six hours or less which they may remain after the first term of six hours. All flat boats shall pay three dollars for landing, and six dollars for each week, or one dollar for each day they remain at the landing, Sundays excepted. The wharf-master shall charge and collect from the owners, agents or persons in charge of all wharf boats lying at the taxing district landing the regular rates of wharfage charged steamboats, as laid down. The rates of wharfage hereby imposed shall be collected by a wharf-master, who shall be elected for two years by the Commissioners of the taxing district. The compensation of said wharf-master shall be fixed by said Commissioners; and *provided* that such compensation shall not exceed ten per cent. of the gross receipts. The wharf-master shall pay any assistants he may employ out of his said compensation. The compensation of said wharf-master shall be paid out of said wharfage fund. The wharf-master shall pay over to the County Trustee every week all wharfage collected by him, and shall report the amount thereof to said Commissioners. He shall give a bond in the penalty of ten thousand dollars, payable to the State of Tennessee, and conditioned for the faithful performance of his duties. The said wharfage fund shall be kept by said Trustee separate and distinct from all other monies, and shall be expended by said Commissioners solely in the improvement and repair of the wharf, and shall be paid out by said Trustee for that purpose on the joint warrant of any two of said Commissioners.

To be paid over weekly.

Fund to be kept separate.

SEC. 5. *Be it further enacted*, That Section fourteen (14) of the Act hereby amended be amended so as to read: That the fire engines, hose and carriges, horses and wag-

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ons, engine houses, public buildings, public grounds, parks, promenades, wharves, streets, alleys, engineer's instruments, and all other property, real and personal, hitherto used by such corporations for purposes of government are hereby transferred to the custody and control of said Board of Commissioners, to remain public property, as it has always been for the uses to which said property has hitherto been applied, and that all indebtedness for taxes or otherwise, whether in litigation or otherwise due to the said municipalities, shall vest in and become the property of the State, to be disposed of for the settlement of the debts of said extinct municipalities, as shall be hereafter provided by law, and suits brought by said taxing districts shall be brought in the name of the President of the Board of Fire and Police Commissioners; *Provided, further*, that said Board of Fire and Police Commissioners are hereby authorized to employ a competent attorney to attend to the legal business of the taxing district, at an annual salary of $2,000, to be paid in monthly installments.

Public property transferred to Board of Commissioners.

SEC. 6. *Be it further enacted*, That section eighteen (18) of said Act be amended so as to read: That the Board of Fire Commissioners, in addition to the policemen heretofore authorized, may, if necessary, employ such additional policemen, to be detailed for that service, as may be required for taking care of the public parks and square, and for market-masters of the taxing district, not exceeding three; the said Commissioners are further authorized to employ as additional policemen, if necessary, two station-house keepers, two turn-keys, two detectives, also a Clerk for the Chief of Police, who shall also be the Clerk to the President of the Board of Fire and Police Commissioners whilst holding court, and he shall also be the custodian of all books and papers belonging to the said Court.

Additional police.

The said Board of Commissioners is hereby authorized to fix the compensation of said Clerk, which shall not exceed $800 per annum. Said Board of Fire and Police Commissioners may employ a City Register, and define his duties at a salary not exceeding $1,000 per annum.

Pay of Clerk and Register.

SEC. 7. *Be it further enacted*, That the following named kinds of business and occupations be and the same are hereby declared taxable privileges, and shall be taxed as herein provided, and the exercising of any of said privileges without first paying the tax hereby fixed, shall be a misdemeanor:

Privileges declared and taxed

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1. Every auctioneer, or firm of auctioneers, doing business at one place only, per annum, $75.00. Auctioneers.

2. Every person offering to sell patent rights, per annum, $50, payable quarterly. Vendors patent rights.

3. Every keeper of a game or fish store, for each store, per annum, $50.00. Game and fish dealers.

4. Every person or firm having a merchants' license, who furnishes oysters or other refreshments, as they may be called for, in addition to the merchants' license, $25.00 annually. Oysters.

5. Every keeper of a snack-house or coffee stand, per annum, $25.00. Snack house.

6. Every keeper of a restaurant, per annum, $100, but the license to keep a restaurant shall not authorize the sale or gift to guests or others of any spirituous, vinous or malt liquors, lager beer, ale, porter, cider, or any light wines, nor tobacco, nor cigars; and every person selling or giving away any of the said articles in or about his or her restaurant shall first obtain the license therefor, as herein prescribed, in addition to their restaurant license. Restaurant.

7. Every club-room, where liquors of any kind are kept, per annum, $50. Club-room.

8. Every keeper of a pleasure or beer garden, wherein spirituous, vinous or malt liquors are sold by the drink, or are drank upon the premises, per annum, $50.00 Beer garden.

9. Every keeper of skids or tarpaulins to hire, per annum, $60. Tarpaulins.

10. Every keeper of a house or yard for the sale of fire-wood, for each house or yard, per annum, $20.00. Wood yards.

11. Every keeper of second-hand articles for sale, per annum, $50. Second-hand articles.

12. Every keeper of a junk or rag store, per annum, $100. Junk store.

13. Every hawker, or peddler of goods, wares or merchandise of any kind, per annum, $50.00, or $15 per quarter of three months. Peddler.

14. Every keeper of a fruit-stand, per quarter of three months, $5.00; per annum, $20.00 Fruit-stand.

15. Every fruit peddler other than producer, per quarter of three months, $5; per annum, $20.00. Fruit peddler.

16. Every person or firm keeping an intelligence office, or acting as a labor broker, per annum, $50. Intelligence office.

17. Every dealer not otherwise specified in this Act, except newsdealers, whatever he may deal in, who keeps no liquors of any kind, (druggists excepted), per annum, $50.00. Other dealers.

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Brokers. 18. Every person, firm or corporation, dealing regularly in exchange, or keeping an exchange office in the taxing district, annually, $100.

Street railroads. 19. Every street railroad for every car running within the district per annum, one-horse, $20; two-horse, $30.

Drays, carts, &c. 20. Every owner of a cart, wagon or dray, or other vehicle drawn by one horse or other animal, for each, per annum, $5.00.

Drays, carts, &c 21. Every owner of the vehicles, mentioned in the last paragraph, drawn by two horses, or other animals, for each, per annum, $7.50.

Drays, carts, &c. 22. Every owner of the vehicles, mentioned in the last two paragraphs, drawn by three or more horses or other animals, for each, per annum, $10.00.

Hack runners. 23. Every owner of omnibuses, hacks, carriages or other vehicles, seeking custom upon the streets, or visiting the railroad depots or steamboat landing, or other public places for the purpose of procuring custom for each vehicle drawn by two horses or other animals, $10 per annum, and for each vehicle drawn by three or more horses or other animals, $15.00 per annum.

Hearses. 24. Every owner of a carriage or other vehicle, kept exclusively for use at funerals for hire for each vehicle per annum, $10.00.

Delivery wagons. 25. Every owner of wagons or other vehicles whether residing in the district or not, kept or used for the free delivery of goods, wares, merchandise or chattles to customers or others in the district, for each vehicle the same tax that is herein charged for vehicles of a corresponding description which run for hire and all corporations, associations or firms, by partnership owning drays, transfer wagons, carts or any vehicle known by any other name and used for transferring raw or manufactured articles, shall pay the same tax as all other owners pay for like vehicles; *Provided*, however, that no tax shall be required of the original vendor or producer of the products of the soil or dairy, raised or produced by himself.

Parcel carts. 26. Every keeper of a hand, express cart, for the delivery of parcels for each vehicle per annum, $3.00.

Concerts. 27. Every public concert for private profit or gain for each twenty-four hours, $10; or $40 per week.

Minstrels. 28. Every traveling or local minstrel company exhibing for profit for each twenty-four hours, $15.00; or $50 per week.

Opera troupe. 29. Every regular or opera troupe for each exhibition, $25; or $100 per week.

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30. Shows or exhibitions within doors for gain not otherwise taxed herein, $10, for each twenty-four hours; or $50 per week. Shows.

31. Each and every chiropodist and veterinary surgeon, and each and every dentist practising his profession in the taxing district, shall pay annually, $10.00. Certain Doctors.

32. Every person who shall, by permission of the President of the Board of Fire and Police Commissioners, give a public ball or dance or other like entertainment, whereat spirituous, vinous or malt liquors are sold by the glass, or are drunk on the premises, for each twenty-four hours, or for each ball or other like entertainment, not continuing longer than twenty-four hours, $25.00. Public dances.

33. Every keeper of a shooting gallery per annum, $50.00. Shooting gallery.

34. Every keeper of a shed, yard or barn, used for taking care of horses, cattle or other animals or wagons or other vehicles, for gain or profit for each per annum, $50. Wagon yards.

35. Every person, association or company, operating an odorless excavator, shall be required to pay tax or license of $200 for the privilege and use of the dump provided by the district and its water privileges per annum, and on payment of said license, the company shall be exempt from the usual tax on wagons used for that purpose. Excavator.

36. Steamboat agents and the agents of railroad companies other than the proper officers of railroad terminations at the taxing district, shall pay a privilege tax of $25.00 per annum, and fees and a separate privilege tax shall be paid for each road represented. Boat and railroad agents.

37. Express companies transporting goods, &c., to distant points shall pay an annual tax of $300 besides the tax on vehicles. Express companies.

38. Upon the privilege of crying auction sales, $20. Auctioneer.

39. Upon the privilege of doing business as a broker, $250. Broker.

40. Upon the privilege of keeping a butcher's stall or house for selling butcher's meat elsewhere than at the market house, $50. Butchers.

41. Upon the privilege of keeping for the purpose of public amusement or profit, Jenny Lind, pool or billiard tables, on each table an annual license of $15, and on each bagatelle table, $15 per annum. Billiard tables.

42. Upon the privilege of keeping a livery, sale or boarding stable, having twenty stalls or under, $30; and for each additional stall until the whole number shall Livery stables.

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reach forty, $1; and for every additional stall above forty, 50 cents.

Hotel.

43. Upon the privilege of keeping a hotel or tavern, $25; and one per cent. on the actual or estimated rental value of the same, said estimated rental value to be determined by the Legislative Council of the taxing district.

[This Act shall not be so construed as to apply to boarding-houses, small hotels or taverns, having less than ten sleeping rooms.]

Circus, &c.

44. Upon the privilege of exhibiting in the taxing district a circus and menagerie, or either, $50 per day, for each.

Jugglers.

45. Upon the privilege of exhibiting any show feats of agility, sleight-of-hand, or exhibition of amusement for which money is taken, except scientific lectures or exhibitions of the sciences or arts, or exhibitions for charitable purposes, $5, for each exhibition.

Telegraph Co.

46. Each and every telegraph company, having an office in the taxing district annually, the sum of $100.

Cattle dealer.

47. Each cattle dealer annually, the sum of $25.

Claim agent.

48. Each claim agent annually, the sum of $50.

Sewing machine

49. Each sewing machine establishment or agency, the sum of $100.

Sample sales.

50. All persons not having a regular licensed house of business in the taxing district and selling goods, wares or merchandise therein by sample, shall be required to pay to the County Trustee the sum of $10 per week, or $25 per month, for such privilege; and no license shall be issued for a longer period than three months.

Liquor license.

51. Upon the privilege of retailing spiritous, vinous, firmented or malt liquors, the sum of $50 per annum, and the same as other merchants upon the capital so employed.

Theatre, &c.

52. Upon the privilege of keeping a theatre, opera house, or concert hall, where theatrical entertainments are given, $100 per annum, payable quarterly in advance.

Insurance office.

53. Upon the privilege of opening or establishing an insurance office or agency, for the insurance of fire, life or accident, in the taxing district, for companies not chartered by the laws of the State of Tennessee, $200 per annum, for each company represented, payable quarterly in advance.

Insurance office.

54. Upon the privilege of opening or establishing an office or agency, for the insurance of life, fire or accident, in the taxing district, for companies chartered by the laws of the State of Tennessee, a privilege tax of $200

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per annum, payable in advance; *Provided*, on said privilege tax a credit shall be given for the amount paid on the *ad valorem* principle.

Real estate brokers.

55. Each real estate broker or firm of brokers, or rental agents, the sum of $50 per annum.

Trading boats.

56. Upon the privilege of selling goods at a boat or other water craft, and not licensed as other merchants are taxed, at the rate of 1 per cent. on the wholesale price of the stock of goods on hand for sale.

Shippers.

57. Any person, firm or association, not having a regular licensed house of business in the taxing district and doing a receiving and forwarding business, shall obtain license from the Register, after first paying to the County Trustee the sum of $25 annually.

Oil Mills.

58. Any person, firm or corporation, engaged in the manufacture of cotton seed or other oils, the sum of $50 as a privilege tax.

How to transfer license.

SEC. 8. *Be it further enacted*, That there is hereby assessed a tax on all privileges not herein specifically enumerated, a tax equal to the tax assessed for State purposes, the same to be collected as other privilege taxes are collected. Any and all licenses issued shall be for the sole and exclusive benefit of the party in whose name and for whose benefit such license shall be issued, and shall not be transferable by the owner or holder thereof to any person whatever, under any pretense whatever, until the owner of such license shall apply to the Trustee to transfer the same, which transfer may be made by the Register of the taxing district; *Provided*, the owner of the same first pays to the Trustee the tax he may owe to the district, from the date of said license up to the time said transfer is made, and all license for which specific sums are charged and not issued upon giving bond and may be transferred by said Register of the taxing district without the rendition of an account. The fee for transfer shall be in each case two dollars ($2) for use of the district, for said transfer.

Each avocation to pay separate license.

SEC. 9. *Be it further enacted*, That no license which may be issued shall embrace or authorize more than one business pursuit or avocation, and all persons desiring to pursue or carry on more than one pursuit or avocation shall take out a separate and distinct license for each pursuit, and pay the full tax required by law for each one. Each and every person obtaining a license shall when called upon by a police officer exhibit the same to him, and on failure to do so shall be fined in a sum not less than $5, nor more than $25.

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Penalty.

SEC. 10. *Be it further enacted*, That each and every person exercising of the branches of business or occupations herein before taxed, without having first paid the tax thereon, or having obtained the license required to be taken out, shall be guilty of a misdemeanor, and upon arrest and conviction thereof, before the President of the Board of Police and Fire Commissioners, shall be fined for each separate offense not less than five nor more than fifty dollars.

Taxes for public schools.

SEC. 11. *Be it further enacted*, That all revenue arising from assessments on real and personal property, privileges and polls, levied on account of public schools or public education in the taxing districts, shall be for the use and benefit of the public schools in the taxing district, and when the tax is collected it shall be paid over weekly to the Treasurer of the Board of Education of the taxing district.

When to be expended.

SEC. 12. *Be it further enacted*, That after the passage of this Act, two-thirds of the revenue received from collections on assessments on real and personal property, merchants' capital, and privileges levied, for county and taxing district purposes, and set apart in this Act or in the Act to which this Act is an amendment, for repairs and paving of streets and bridges, construction of sewers, drains and sanitary purposes, or set apart by the County Court for county purposes and not levied and collected in payment of a judgment or interest tax, shall be expended if county revenue in the civil district in which it has been collected from; and if taxing district revenue, it shall be expended in the territory formerly embraced in the wards of the extinct corporation from which it has been collected, but this proviso shall not be construed to be in conflict with the authority given taxing district Commissioners, to use the privilege tax in payment of deficiencies to firemen, policemen and hospital purposes; *Provided*, that as an inducement and for the purpose of procuring necessary investments of capital with skilled labor in the taxing districts, all capital invested in buildings, machinery, and materials for the purpose of manufacturing, shall be exempt from all taxation from the date of investment for the period of ten years.

Capital exempt from taxation.

SEC. 13. *Be it further enacted*, That all Acts or parts of Acts inconsistent with the provisions of this Act, be and the same are hereby repealed.

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SEC. 14. *Be it further enacted*, That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed March 12, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 13, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER LXXXV.

AN ACT to protect Plaintiffs in appeals to the Supreme Court of this State in actions of ejectment and actions of forcible entry, and detainer, or unlawful detainer and forcible detainer.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That when any judgment shall hereafter be rendered in favor of the plaintiff in any action of ejectment now pending, or that may hereafter be brought in any of the Courts of this State having jurisdiction thereof, and a writ of possession be awarded, the same shall be executed, and the plaintiff placed in possession immediately; *Provided* that if the defendant or defendants should take an appeal to the Supreme Court of the State from said judgment, said plaintiff or plaintiffs, shall execute bonds with good and sufficient security in double the value of two years rent of the premises, conditioned that he or they will pay all costs and damages which may be sustaind by defendants from plaintiff's wrongfully enforcing said writ, and that he or they will abide by and perform the judgment of the Supreme Court rendered upon the final hearing of the cause, upon which, bond being executed, the writ of possession shall issue notwithstanding said appeal is taken, unless the defendant shall execute a like bond to plaintiff for rent

Possession given.

When bond given.

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in addition to his bond for cost, it shall be the duty of the Court in which the suit is pending at any time, upon good cause shown to require the party or parties placed in possession by the Court, and executing bond as herein authorized to give new and sufficient security or return the possession so as to protect the other party as to rents and damages that may be due the other party or parties, upon final termination of the suit in his or their favor, and before the plaintiff shall be put in possession, under the provisions of this Section, he shall execute a like bond, be required to renew the same under the same rules so provided above for the defendants, and when the plaintiff put in possession by the Court fails to renew his bond as required by this Act, it shall be the duty of the Court to return the possession to the defendant.

SEC. 2. *Be it further enacted,* That the provisions of the first section of this Act shall apply to cases of forcible entry and detainer, and unlawful detainer, forcible detainer upon appeals taken to the Supreme Court.

SEC. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 11, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved, March 14th, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER LXXXVI.

AN ACT to prevent the wilful and wanton killing the stock of another.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That if any person willfully, knowingly and wantonly kill by poison or otherwise, any horse, dog, mare, gelding, filly, foal, mule, jack or any

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other beast, the property of another of the value of ten dollars, or more, with intent wantonly to destroy his or her property, he shall be deemed guilty of a misdemeanor, and on conviction thereof shall be imprisoned in the County Jail, of the County in which the offence is committed, not less than one nor more than six months, and shall moreover pay to the party aggrieved the value of such beast, to be ascertained by the Jury convicting him; *Provided*, this Act shall not change existing laws on the subject of killing sheep killing dogs.

Value $10.

Penalty for.

SEC. 2. *Be it further enacted*, That if any person willfully, knowingly and wantonly kill the beast of another, of less value than ten dollars, or cut off the tongue, ear or tail, put out the eye or otherwise dismember or disfigure or wound any beast of another, or willfully, knowingly and wantonly administer poison, to any such animal, any poisonous substance, with the intent that the same should be taken, he shall be imprisoned in the County Jail, not less than one, nor more than three months, and shall moreover pay to the owner of such beast the value thereof, or the damage sustained, to be ascertained as in the preceding section; *Provided*, that if any person kill or wound the stock or beast of another, while said stock or beast is trespassing on the crops or inclosure of said person, such killing or wounding shall not be considered as having been done willfully or wantonly, as contemplated in this Act, and *Provided further*, that nothing in this section of this Act shall be so construed so as to release the party killing or wounding such stock from any liability for damages, to the owner thereof, as are now recoverable by law.

Value $5.

Penalty for.

SEC. 3. *Be it further enacted*, That this Act take affect from and after it passage, the public welfare requiring it.

Passed March 11, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved, March 14th, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER LXXXVII.

AN ACT to authorize Municipal Corporations having a population of not less than twenty thousand, nor more than forty thousand inhabitants according to the Federal Census of 1870, to collect taxes on property, privileges and polls.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That so much of an Act passed March 23rd, 1875, entitled "An Act more cheaply to collect State, County and Municipal Revenue," and so much of an Act passed March 20th, 1877, entitled "An Act to repeal so much of the Act entitled an Act more cheaply to collect, State County and Municipal Revenue, passed March 23rd, 1875, as relates to the collection of Municipal Revenue and to provide for the collection of Municipal Revenue," as abolished the office of Corporation Tax Collector, and transfer the collection of municipal taxes on property, privileges and polls to the County Court Clerk and County Trustee, be and the same are hereby repealed so far as the same apply to Municipal Corporations in the State, having a population of not less than twenty thousand, nor more than forty thousand inhabitants according to the Federal Census of 1870. The Collector shall advertise all real estate to be sold for taxes for thirty days before the day of sale, in manner following: "City delinquents take notice, on the——day of—— 18— at the Court House door in Nashville, Davidson County I will offer for public sale the real estate belonging to city delinquent tax-payers, which real estate has been condemned and ordered to be sold by the Circuit Court of Davidson County; a description whereof and the names of the owners thereof, together with the amount of taxes due, can be seen upon the minutes of said Court or upon the books in my office. (Signed by the collector.)

Advertise real estate for sale for delinquent taxes.

This notice shall be inserted once per week for four weeks in some newspapers published in the city and posted at the Court House door.

SEC. 2. *Be it further enacted*, That all laws and parts of laws in force prior to the passage of said Act of March 23rd, 1875, and relating to the collection of Revenue in Municipal Corporations of the population aforesaid, be and the same are hereby re-enacted; *Provided*, however,

Laws re-enacted.

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that no City Revenue Collector shall be entitled to any compensation for certifying the city delinquent list to the Circuit Court for condemnation, or for making sale of land thereunder, and *Provided further*, that the Clerk of the Circuit Court shall be entitled to a fee of one dollar for each separate tract, lot or parcel of land entered of record in the judgment of condemnation which he shall collect from the delinquent tax-payer and in no case from the city.

No fee for certificate

Clerk's fee.

SEC. 3. *Be it further enacted*, That so much of Sub-Section 2, Section 691 of Thompson & Steger's Code, as authorizes the collection of municipal tippling license by the Clerk of the County Court, be and the same is hereby repealed so far as the same applies to Municipal Corporations of the population aforesaid, and said license tax shall hereafter be collected by the Recorder of said incorporate cities or towns.

Recorder to collect liquor tax.

SEC. 4. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 11, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved. March 14th, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER LXXXVIII.

AN ACT to fix the time and places of holding Court in the Ninth Chancery Division.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Chaneery Court for the Ninth Chancery Division shall hereafter be held at the following times and places:

At Newburg, Lewis County, Wednesday before the third Mondays in February and August.

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At Centreville, Hickman County, the third Mondays in February and August.

At Linden, Perry County, the first Mondays in March and September.

At Decaturville, Decatur County, the third Mondays in March and September.

At Lexington, Henderson County, the fourth Mondays in March and September.

At Purdy, McNairy County, the first Mondays in April and October.

At Savannah, Hardin County, the second Mondays in April and October.

At Waynesboro, Wayne County, the fourth Mondays in April and October.

At Lawrenceburg, Lawrence County, the second Mondays in May and November.

At Charlotte, Dickson County the first Mondays in June and December.

At Waverly, in Humphreys County, the second Mondays in June and December.

At Camden, Benton, County, the third Mondays in June and December.

SEC. 2. *Be it further enacted*, That all process, which is now or may hereafter be made returnable to any other time than that fixed by this Act shall be transferred to the time fixed by the first Section of this Act and shall have as full force and effect as though no change of time had been made, and that this Act take effect from and after the fifteenth day of May next, the public welfare requiring it.

Take effect May 15th.

Passed March 11, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.
Approved, March 14th, 1879.
ALBERT S. MARKS,
Governor.

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CHAPTER LXXXIX.

AN ACT to amend Section 2289 Code of Tennessee in relation to property of estates exempt from execution in the hands of minor children.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 2289 of Thompson, and Steger's Code of Tennessee, be so amended as to read as follows: And in case there be no widow, and the estate be either solvent or insolvent, such property shall be exempt for the benefit of the minor children under fifteen.

Passed March 12, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved, March 14th, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER XC.

AN ACT to amened Section 4542 of the Code relative to fees allowed District Attorneys.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 4542 of the Code, which allows District Attorneys fees in certain cases, "for each conviction," be and the same is hereby so amended as to read for each final conviction, and that hereafter said fees shall not be allowed when a new trial

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is granted, by either the Court below or the Supreme Court.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 12, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.
Approved, March 14th, 1879.
ALBERT S. MARKS,
Governor.

CHAPTER XCI.

AN ACT to establish a Board of Public Works in towns and cities of this State having a population of not less than five thousand nor more than forty thousand.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That in all cities within this State, which by the Federal census of 1870, were possessed of a population of not less than five thousand nor more than forty thousand inhabitants, there shall be a Board of Public Works, composed of five members, who shall be free-hold electors and *bona fide* residents of such city, and elected by the Mayor and Aldermen of such city to serve for the term of five years, or until their successors shall be elected and qualified, no two of whom shall live within the same ward, unless said city shall be composed of less than five wards, in which case there shall be one member from each ward and the balance from the city at large, one to be elected at each annual election of said Mayor and Aldermen; *Provided*, that the first election there shall be elected one member to serve for one year, one for two, one for three, one for four, and one for five years, and the annual election by said Mayor and Alder-

Board to consist of five members.

Qualification and election of.

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men for this purpose shall be on the first regular meeting of said Mayor and Aldermen in April of each year, or as soon thereafter as practicable, said election shall be by ballot, and no person shall be elected unless he receives two-thirds of the votes of the entire Board of Mayor and Aldermen, the Mayor having a vote for this purpose; *Provided*, that no member or officer of said Mayor and Aldermen shall be elligible to office in said Board of Public Works.

SEC. 2. *Be it further enacted*, That each member shall give bond, with not less than three or more sureties, to the satisfaction of the Mayor and Aldermen, in the sum of not less than ten thousand dollars, conditioned for the faithful performance of his duties, and the proper disposition of, and accounting for all monies coming into his hands in his official capacity, which sureties shall be required to justify in the aggregate to the amount of $30,000 above all liabilities, and such bond shall be subject to approval by the Mayor and City Attorney or Solicitor. To give bond.

SEC. 3. *Be it further enacted*, That the members of said Board of Public Works shall devote as much of their time and attention to the duties of their office as shall be necessary to the full and complete performance of such duties, and the accomplishment of the purposes for which said Board is created. The compensation of the members of said Board of Public Works shall be fixed by the Mayor and Aldermen prior to their first election; *Provided*, that the amount of such salaries shall be uniform and subject to such change as the Mayor and Aldermen may, from time to time, in their judgment, deem advisable. Compensation.

SEC. 4. *Be it further enacted*, That said Board of Public Works shall hold regular meetings, at least once in every week, and as much oftener as the business entrusted to its care shall require, and three members of said Board shall constitute a quorum for the transaction of business; the ayes and noes shall be called and entered upon a journal upon the passage of every resolution or order of any kind, and no resolution or order shall be adopted unless three votes are recorded in its favor. To hold regu- meetings. Quorum. Ayes and noes to be recorded.

SEC. 5. *Be it further enacted*, That the Board shall keep a complete record of all its proceedings, and a copy from its records, certified to by the Clerk of said Board, shall be competent evidence in all Courts of this State. Record of proceedings.

SEC. 6. *Be it further enacted*, That the members of the Board shall have seats in the Board of Mayor and Al-

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dermen or Common Council of such city, and be entitled to take part in its proceedings and deliberations on all questions relating to matters under their charge, subject to such rules as the Mayor and Aldermen or Common Council shall, from time to time, prescribe, but without the right to vote, and one of the Board may be compelled to attend every meeting of the Mayor and Aldermen or Common Council in the same manner as its members.

To attend Common Council.

SEC. 7. *Be it further enacted,* That the Board shall have power to employ such engineers, clerks, superintendents, laborers, and other persons, as it may deem necessary for the execution of its duties, and fix their salaries and compensation, but the salaries of all such officers and agents, except common laborers as are appointed for a definite period of time, shall be fixed within limits prescribed by the Mayor and Aldermen or Common Council, and any of such persons may be removed by the Board hereby created, at any time, none of whom shall be members of said Board.

May employ Clerks, etc.

SEC. 8. *Be it further enacted,* That the Board of Public Works shall have exclusive power and control over the construction, supervision, cleaning, repairing, grading and improving of all streets, alleys, avenues, lanes, public wharfs and landings, market-houses and spaces, bridges, sewers, drains, ditches, culverts, canals, streams and water courses, side-walks, gutters, curbing, and the lighting of all such public places as may be deemed necessary, within the corporation; to fix and establish the grades of all streets and alleys, avenues and thoroughfares; they shall also have the power, supervision and control over the construction, repairing, cleaning, lighting and heating of all public buildings, and all other public improvements ordered by the Mayor and Alderman or Common Council of such city or corporation.

Duties.

SEC. 9. *Be it further enacted,* That the Board of Public Works shall, on or before the first day of June of each and every year, prepare and submit to the Mayor and Aldermen or Common Council of said city, an itemized estimate of the amount of money necessary and advisible, in their opinion, to spend in the execution of the duties entrusted to them for the ensuing year, giving in detail the plans of construction, repairs, etc., proposed by them, with the estimated cost of each improvement, specifying for what department required, as streets, sewers, public buildings, etc.; and it shall be the duty of said Mayor and Aldermen, in their annual levy of taxes, to make such levy as, in their judgment, shall be nec-

Estimates.

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essary and advisable, to the Board of Public Works, and the amount so levied shall be collected and carried to the credit of the Board of Public Works, and shall not be diverted from said Board, or used by said Mayor and Aldermen for any other purpose, but the same shall remain as a separate fund in the hands of the Treasurer of said city, subject to the order of the Board of Public Works, under such rules as they may establish, and said Board of Public Works shall at no time contract for any construction, improvement, or repairs in excess of the levy so made for the Board of Public works; *Provided*, that said Board shall not divert the tax levy of the Mayor and Aldermen from the purposes or department for which it was levied.

Public works fund.

SEC. 10. *Be it further enacted*, That when the Board shall deem it advisable to make a contract for the execution of any work, or purchase of any material for matters under its charge, a careful estimate shall be made of the cost of such work or material.

Cost estimate

SEC. 11. *Be it further enacted*, That in all cases where assessments are to be made, or where the estimated cost of any work or material exceeds five hundred dollars, the Board shall transmit to the Mayor and Aldermen of such city, with its recommendations, an ordinance authorizing the execution of such work, or the purchase of such materials, at a cost not to exceed the amount of said estimate.

SEC. 12. *Be it further enacted*, That upon the passage by the Mayor and Aldermen of such ordinance, it shall be the duty of the Board of Public Works to advertise for proposals, in accordance therewith, for a period of at least ten days, in one or more of the newspapers of general circulation in the city, for sealed proposals to do the work or furnish the material required; and the Board shall award the contract to the lowest responsible bidder, reserving the right to reject any and all bids; *Provided*, The cost under such bidder does not exceed the estimate transmitted to the Mayor and Aldermen.

Proposals for work and material.

SEC. 13. *Be it further enacted*, That all contracts of the Board shall be made in the name of the Mayor and Aldermen of said city, executed in behalf of said Mayor and Aldermen by the presiding officer of the Board, under the seal of the corporation, and filed in the office of the Board.

Contracts.

SEC. 14. *Be it further enacted*, That no member of the

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Board, or other person, whether in the employ of the Board, or otherwise, shall have power to create any liability on account of the Board, or the funds under its control, except by express authority of the Board, conferred at a meeting thereof—duly and regularly convened.

SEC. 15. *Be it further enacted*, That, if at any time, it shall appear, in the judgment of said Board, that the levy made by the Mayor and Aldermen of such city for the current or ensuing year for the use of the department of Public Works, is insufficient for the construction, improvement and repairs of such things as are committed to their charge, consistent with the health, comfort and convenience of the inhabitants of such city; they shall so report to said Mayor and Aldermen, furnishing at the same time an estimate of such deficiency, on receipt of which, it shall be lawful for said Mayor and Aldermen, in their discretion, to make such additional or special levy upon the taxable property, real, personal and mixed, within said city, taxable for State purposes, (but not to exceed three per cent. in any one year for all city purposes) as shall be necessary to complete such construction, improvement, etc., which special levy shall be at once transmitted to the Clerk of the County Court by said Mayor and Aldermen, and it shall be the duty of said Clerk of the County Court to enter said special tax levy upon the tax-books at once, and return them to the proper collecting officer of said Mayor and Aldermen for immediate collection.

Deficiency in fund, how made up.

SEC. 16. *Be it further enacted*, That no member, officer, or employee of the Board, shall be directly or indirectly interested in any contract or work of any kind whatever, under its direction; and any contract for work or material in which any such person shall have an interest, shall be void; it shall be the duty of any person having knowledge or information of the violation of this section, forthwith to report the facts to the Board, and the Board shall give reasonable notice to the parties interested, and at the earliest convenient day investigate the same, and hear the evidence offered on both sides; *Provided*, That the members of the Board shall be tried by the Mayor and Aldermen, as hereinafter provided.

Board not to be interested in contracts.

SEC. 17. *Be it further enacted*, That the Board shall have power, and they are hereby empowered, in such case, to compel the attendance of witnesses and the production of books and papers, and the presiding officer shall have authority to administer all necessary oaths.

To compel attendance of witnesses.

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SEC. 18. *Be it further enacted*, That if any member of the Board be involved in any such charge, he shall not again sit or vote in the Board until the result of the investigation is determined, announced and entered on the minutes of the Board. And the charge against such member of the Board shall be tried before the Mayor and Aldermen of such city, and the result shall be certified to by the Auditor, Recorder, or other clerk of said Mayor and Aldermen, and transmitted to said Board to be entered on its records, and to that end said Mayor and Aldermen shall have power by process, issued by the Mayor, to enforce the attendance of witnesses and the production of books and papers as evidence, to be executed by the Marshall and police, and the Mayor shall have power to administer the necessary oaths, and if an officer or employe of the Board shall be adjudged on such trial or inquiry, to have violated any of the foregoing provisions, such adjudication or finding shall at once operate as a dismissal of such officer or employee.

Charges against Board to be investigated.

SEC. 19. *Be it further enacted*, That if any contract made or authorized by the Board, is found to violate any of the foregoing provisions, it shall at once become void and of no effect, and no money shall be paid for services rendered or material furnished under the same.

Such contract void.

SEC. 20. *Be it further enacted*, That no money shall be paid at any time, to any person claiming under a contract with the Board, until such person shall have first filed with the Board, his statement under oath disclosing the names of all persons, directly or indirectly, interested in the contract, or the proceeds or the profits thereof, declaring that no person, other than those named, are interested, and that no person forbidden by this Act has any interest in the same; *Provided*, that this provision should not apply to day laborers.

Contractor to file statement under oath.

SEC. 21. *Be it further enacted*, That when, in the opinion of the Board, it shall become necessary, in the prosecution of any work, to make alterations or modifications in the specifications or plans of a contract, such alteration or modification shall only be made by order of the Board, and such order shall be of no effect until the price to be paid for the same shall have been agreed upon in writing and signed by the contractor and some person authorized thereunto by the Board; *Provided*, the total cost of the work, with the addition of the price so agreed upon, shall not exceed the original estimate.

Alterations in plans.

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Alterations.

SEC. 22. *Be it further enacted*, That no contractor shall be allowed anything for extra work, caused by any alteration or modification unless an order is made or agreement signed, as provided in the preceding Section, nor shall he in any case be allowed more for such alteration than the price fixed by such agreement.

Ordinance authorizing improvement.

SEC. 23. *Be it further enacted*, That the Board shall publish all resolutions declaring the necessity of improvements, but the ordinance authorizing such improvement must be passed by the Mayor and Aldermen on the recommendation of the Board.

Railroads, gas and waterworks.

SEC. 24. *Be it further enacted*, That no grant of the use of a street or highway in such city for the purpose of a street or other railroad, or an extension thereof, shall be made or renewed, unless first recommended by the Board; nor shall any such street or highway, be used for supplying gas or water, or be broken up or obstructed for any purpose or any pretense whatever, unless permission is first given by the Board and attested by its clerk in writing; nor shall a resolution or ordinance for the payment of money in settlement of claims for unliquidated damages be passed; nor shall any binding agreement for such settlement be made by the Common Council, unless the payment or settlement of such claim be first recommended by the Board; nor shall any property used, or to be used, for purposes under the control of the Board or for purposes of the city, be purchased, leased or disposed of, without such recommendation being first made.

Member board may be removed from office.

Vacancy—how filled.

SEC. 25. *Be it further enacted*, That any member of the Board may be removed from office, by the Mayor and Aldermen for incompetency, inefficiency, neglect of duty or unfaithfulness of trust, by a vote of two-thirds of all the members, elected to the Board of Mayor and Aldermen of such city; and all vacancies in the Board shall be filled by the Mayor and Aldermen of such city for the unexpired term, such vacancy to be filled by election under the same rules as other elections of members of the Board.

SEC. 26. *Be it further enacted*, That whenever in the opinion of the said Board of Public Works, it shall be for the interest of the inhabitants of such city, or section thereof, that sidewalks or foot-pavements should be constructed on any one or more of the streets, alleys, etc., of such city, it shall be the duty of the said Board of Public Works to recommend the construction of the same in writing to the Mayor and Aldermen of such city,

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specifying the streets, alleys, etc., upon which such sidewalks or foot-pavements ought to be constructed, whereupon it shall be lawful for said Mayor and Aldermen to pass an ordinance to compel the owners of property, upon such street or streets, alleys or avenues, within such municipality, to grade, make or repair, the sidewalk or walks, the whole extent of the front along the same, or any designated portion thereof, the same to be done according to the grade and specifications furnished by the engineer employed by the said Board of Public Works. And in the event that such owners of property shall fail or refuse to grade, build or repair such sidewalks of foot-pavements within sixty days after due notice to build, grade, or repair the same, it shall be the duty of said Board of Public Works to cause the same to be done by contract, as in case of other improvements, and the cost thereof shall be a lien, for the term of one year upon such property, in favor of the Mayor and Aldermen for the use of the party doing such work; *Provided*, that before the commencement of work on such sidewalk or foot-pavement, the engineer of said Board of Public Works shall make careful specifications as to the character of work and estimate the costs thereof, distinguishing the cost of the work properly chargeable to different owners of abutting property, and the work shall be let in such manner as the said Board of Public Works may prescribe, to the lowest responsible bidder, reserving the right to reject any and all bids as in other cases after ten days' notice in some newspaper published in such city, the cost of such notice to be charged to the work; but in no case shall the price paid for work exceed the estimate of the engineer.

Mayor and Aldermen may compel property owners to grade streets, alleys, and make sidewalks.

SEC. 27. *Be it further enacted*, That all debts created by said Board of Public Works in the building or erection of sidewalks or foot-pavements, as provided in the preceding Section of this Act, may be collected by suit brought in the name of the Mayor and Aldermen for the use of the party doing such work, before any court having legal jurisdiction thereof, and such actions may be prosecuted to judgment as other actions of debt, and the judgment enforced as in other cases, by proper orders, decrees and executions, to be levied as in other cases, on any or all of the property of the defendant not exempt, as well as on said lot or lots on which said lien is declared; *Provided*, that in case of non-residents, the action shall be by attachment, prosecuted

May sue for cost of improvements.

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to judgment, and enforced against the property of the defendant, as in other cases of attachment against non-residents.

What towns applicable to.

SEC. 28. *Be it further enacted*, That this Act shall not apply to any city or town until the same shall have been accepted by a vote of the Mayor and Aldermen or City Council thereof, a majority of all elected concurring, and in that event it shall be an amendment to the charter of such city or town; *Provided*, that in case the Mayor and Aldermen, or City Council of any city or town, in this State refuses to accept the provisions of this Act, then said Mayor and Aldermen or City Council, upon the petition of twenty free-holders of such city or town, after ten days' notice, shall submit the question of the acceptance or rejection of this Act as an amendment to the charter of such city or town to the qualified voters thereof, and if at said election a majority shall vote for acceptance, then this Act shall be of full force and effect as an amendment to said charter. This Act shall have no effect in any city until the qualified voters thereof shall have accepted of its provisions at an election to be held for that purpose by the municipal authorities, a majority of the votes cast to decide for or against it.

SEC. 29. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 12, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 14, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER XCII.

AN ACT to collect and dispose of the Taxes assessed for Municipal Corporations in this State whose charters have been or may be repealed, or which may surrender their Charters, and to provide for the compromise and make settlement of the debts of such extinct Municipal Corporations respectively.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That as to municipal corporations in this State whose charters may have been repealed at the time this Act takes effect, and, from time to time, as the charters of other municipal corporations may be repealed or surrendered. The Governor of the State shall appoint an officer for such extinct corporations respectively, to be known as a Receiver and back-tax Collector, who shall take the oath required of other collectors of public revenue, and shall give bond with good sureties, to be approved by the County Court of the county in which the extinct corporation was situated, in such sum as the County Court may prescribe; and it shall be the duty of the Quarterly Court at each quarterly term thereof, to see that the bondsmen continue good and adequate for the full protection of all persons interested, and for that purpose, from time to time, to require further and additional sureties whenever such Court deems the same necessary for the protection of those interested.

Back-tax Collector.

SEC. 2. *Be it further enacted,* That such Receiver and back-tax Collector shall make to the Chancery Court every three months a full, clear and complete statement, showing all taxes collected and settled, and all in his hands that remain to be collected and settled. He shall, at the end of each month, pay into the Treasury of the State the whole sum by him collected, less his compensation. He shall distinguish, in making such payments, the respective sources from which the monies paid in are derived, showing what is collected from taxes for general purposes, and what for taxes for special purposes, designating the particular or special purpose, so that the same may be kept separate in the State Treasury, in order that the Treasurer may pay the same according to

Duties — Collection of taxes.

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any lien, priority or equity, if any, which may be declared by the Chancery Court touching any of said funds, in favor of any creditor or class of creditors.

SEC. 3. *Be it further enacted*, That the back-tax Collector and Receiver shall, as soon as appointed, enter upon the duties of his office. It shall be his duty, and he is hereby empowered, to take possession of all books, papers and documents pertaining to the assessment and collection of the taxes embraced by this Act.

SEC. 4. *Be it further enacted*, That for the purpose of collecting the revenue embraced in the provisions of this Act the Receiver and back-tax Collector is empowered and authorized to file a general creditors' bill in the name of the State in behalf of all creditors against all the delinquent tax-payers who owed taxes to the extinct corporation at the time of the repeal or surrender of its charter, which bill shall be filed in the Chancery Court of the county in which such extinct corporation was situated. All the said delinquents in any one county shall be embraced in one subpœna to answer, and for the same the clerk shall receive a fee of five cents for each defendant named in the subpœna except for the first, and for that, the fee allowed in other cases; *Provided*, he shall not receive exceeding twenty-five dollars for such subpœna, and the Sheriff, for serving the same, shall receive for each defendant ten cents, except the first, and for that, the fee allowed for like services in other cases. Publication for non-residents shall embrace in the same publication, if practicable, all non-resident defendants—the object being to make one proceeding embrace the whole taxes of such extinct corporation. All pending suits are to be received in the name of the State, and consolidated with the general proceedings herein provided for, and when so consolidated, to form part of said general proceeding. The Court in which said proceeding may be instituted shall have power to settle and adjust all equities, priorities and liens, and to give all relief both to the defendants and the creditors that might be given if there were as many separate suits as there are creditors and delinquent tax-payers. Such Court shall have power to enforce all liens upon property for the payment of such taxes, and to order and make all sales of property necessary to the collection of such taxes. The taxes embraced by this Act, and which it provides for, are all taxes imposed by said extinct municipalities up to the time of the repeal or surrender of their charter. The Chancery Court, in the exercise of the jurisdiction

Mode of procedure.

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conferred by this Act, shall have all the powers possessed by such Courts in the administration of the estates of insolvent, natural or corporate persons. If it shall appear that the taxes imposed in any case were excessive, the Court shall have power to reduce the assessment so as to make it fair and just,

SEC. 5. *Be it it further enacted*, That back-taxes imposed prior to the year 1875, may be settled in the valid indebtedness of such extinct municipalities as provided by Section 66 of an Act passed March 20, 1875, entitled, "An Act to regulate and organize Municipal Corporations of certain population, and for the increase and diminution of their powers," and, in addition to said Act, as follows, to-wit, in valid bonds, whether due or not, and due coupons, and any other valid debt of such municipality with accrued interest, whether in the shape of scrip, warrants, judgments, ledger balances, paving certificates or receipts for money paid by back-tax payers to paving contractors or to the said corporation for Nicholson or stone paving done under former laws and ordinances authorizing front foot assessments for paving, and the back-tax Collector and Receiver is hereby required to accept the same at the following rates, to-wit, bonds known as compromise or funded bonds shall be received at their face value, all other bonds, scrip, certificates of indebtedness, past due coupons, ledger balances, etc., shall be received at fifty cents on the dollar, or one-half their face value, and all judgments shall be received at fifty-five cents on the dollar of their face value; *Provided*, compromise bonds issued in lieu of any bonds which have been pronounced invalid by the Supreme Court of this State shall be excluded so far as such invalid bonds shall compose a part or the whole of such compromise bonds; and compromise bonds issued in whole or in part in lieu of bonds liable by implication, on account of over issue or otherwise, to a similar decision of the Supreme Court, shall not be received so far as they may be composed in whole or in part of such suspected bonds, until the validity of such suspected bonds shall be determined by the Supreme Court of the State, and the aforesaid bonds, coupons, scrip, etc., shall be recieved with interest added, if there be interest, in payment of taxes imposed prior to 1875, whether before or after judgment or decree against the delinquent taxpayers in satisfaction of such taxes, or by way of set-off against taxes due such extinct municipalities, whether

What evidences of debt may be taken for back-taxes, and in what manner.

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acquired before or after suit brought against a delinquent tax-payer. But before being required to accept the same, such back-tax Collector and Receiver may, if he chooses, and if he suspect the debt not valid, or if any creditor gives him notice that it is not, then before taking it he shall, on motion in the general suit, have the question settled by the Chancellor whether such indebtedness is valid or not, and it shall be the duty of such Receiver and back-tax Collector to receive in payment of taxes imposed after 1874, any of the aforesaid valid indebtedness of the extinct municipality, when there is no lien or equity requiring the same to be paid in current money, and whenever any question may be raised as to the right of the tax-payer to pay taxes imposed after 1874 on the said indebtedness of the extinct municipality, the Court shall determine the same on motion at the instance of the parties interested; *Provided*, however, that in every case where a bond of any kind or character, whether it be a compromise bond or other kind of bond, is received or taken up before maturity, all immatured interest coupons shall be surrendered with it, and no bond of any kind shall in any case be received before maturity which has the interest coupons detached, and nothing shall be allowed such immature coupons. All evidences of indebtedness taken by said Receiver in payment of taxes shall be cancelled by him, as soon as the same comes into his hands, under the supervision of the Chancellor, and in such manner as he may order and decree.

Paid in annual installments.

SEC. 6. *Be it further enacted*, That when collections shall be made or taxes paid, as here in provided, or in current or in lawful money of the United States, it shall not be lawful for such Receiver and back-tax Collector to coerce payment of a greater sum than one-fifth part annually, so as to distribute the whole through five equal annual installments. The said period of five years shall begin from the time of the appointment and qualification of the back-tax Collector and Receiver, and all costs of condemnations, penalties and charges are hereby remitted, in all cases where taxes are collected under this Act; *Provided*, however, that nothing herein contained is intended to interfere with any vested right which entitles the party having such right to a speedier collection, but only to extend the indulgence where the State has the power to do so without interfering with vested rights.

SEC. 7. *Be it further enacted*, That funds collected under this Act shall be paid out by the Treasurer of the

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State, from time to time, to those entitled in such manner as the Chancery Court may adjudge and decree on the warrant of the Receiver, countersigned by the Chancellor. Disbursed by State Treasurer.

SEC. 8. *Be it further enacted*, That the compensation of the back-tax Collector and Receiver of the extinct corporation of Memphis shall be two thousand dollars per annum, but after two years the County Court shall fix the salary of said officer, not to exceed two thousand dollars per annum, and of such other municipalities as this act may apply to, such sum as the Quarterly Court of the county may allow, in no case to exceed the sum that would be paid to the County Trustee for like service. Compensation of back-tax Collectors.

SEC. 9. *Be it further enacted*, That the Receiver and back-tax Collector shall have power to employ an assistant at a compensation not to exceed one hundred dollars per month during the time he is in actual service. Compensation of Clerks.

SEC. 10. *Be it further enacted*, That publication shall make all creditors parties with the right to relief as fully as if especially named, and they may at any time file with the Clerk of the Court their claims, or attested copies, retaining the original if they desire, subject to be produced, however, as the Court may order, and placed in the custody of the Clerk. The simple filing of said claims respectively attested by the affidavit of the owner or his agent or attorney, shall be proof of such claims in common form, and if not contested, entitle the same to payment *pro rata;* and for administering the oath in proving such claims in common form and filing the same, the Clerk shall receive the sum of ten cents to be paid at the time of making the oath and filing the claim. If any creditor or the Receiver and back-tax Collector shall desire to contest the validity in whole or part of any claim filed in common form, he may do so in a summary way in the progress of the cause. The opposing parties in such contest shall reduce the facts to writing that are necessary to its determination, and file the same, and when filed they shall become part of the record, and the Court shall have power upon motion, and in a summary way, to hear and determine all questions of priority of payment in the progress of the cause. When any party is dissatisfied with the decision of any litigated question, he may have such question reheard upon appeal or writ of error in the Supreme Court, but so much of the record only as pertains to that particular litigation shall form the transcript and record for the appellate. Creditors to file claims. Clerks fees. Partial appeal.

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Court, and the costs shall be paid by the parties to such appeal as the appellate Court may direct, unless the Receiver and back-tax Collector is a party to the litigation on behalf of creditors generally, and in that case the costs may, if the appellant Court think proper, be charged to the whole or to some particular fund, as right and justice may require.

Costs.

SEC. 11. *Be it further enacted*, That nothing herein shall be construed to prejudice the right of redemption now allowed by law to any person for redeeming land hitherto sold for taxes, or that may hereafter be sold under the provisions of this Act, and as to all lands within the limits of such extinct municipalities heretofore sold for taxes and bid off in the name of the State or the city, the former or their heirs or vendees, shall have five years from and after the passage of this Act within which to redeem the same, but until such redemption such property shall be and remain the property of the State, and the owners, their heirs or vendees shall alone have the right to redeem.

Right of Redemption.

SEC. 12. *Be it further enacted*, That it is the duty of the Attorney General of the district wherein is situated the taxing district, as provided for in the Act aforesaid, and they are hereby required immediately to suggest of record in all the courts of this State and of the United States where suits are pending against said municipalities, the repeal of the charters of the same.

Repeal of charter to be suggested of record.

SEC. 13. *Be it further enacted*, That the proceedings in all suits now pending for the collection of taxes due such extinct municipalities shall be suspended until the filing of the general creditors' bill and the consolidation provided for in this Act, and said general creditors' bill shall be prepared and filed by the Receiver and back-tax Collector as soon as practicable, and within six months from his appointment and qualification, and to enable him to prepare said bill he is authorized to employ under the direction of the Chancellor, any cash funds that may come into his hands in obtaining any necessary abstracts of title.

Pending suits suspended.

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SEC. 14. *Be it further enacted,* That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed March 13, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved, March 14, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER XCIII.

AN ACT to repair and refurnish the Supreme Court Room at Jackson.

WHEREAS, The County of Madison furnishes certain of the rooms of its Court House free of rent to the State for the uses of the Supreme Court, and said rooms now being in need of repair, and the flues and stovepipes therein being in a dangerous and unsafe condition. Now, therefore, in order to provide therefor,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Clerk of the Supreme Court at Jackson be, and he is, hereby authorized and directed to have the flues, stoves and arrangements for heating said rooms, arranged and perfected so as to be made safe, and said rooms repaired and placed in a suitable and safe condition for the use of said Court; *Provided,* The Supreme Court shall retain possession of it for the purposes stated, free of rent.

SEC. 2. That there is hereby appropriated out of the Treasury of the State, out of any monies not otherwise appropriated, the sum of $500 for the payment of the expenditures provided for in the first Section of this Act.

SEC. 3. That said Clerk of the Supreme Court shall render to the Comptroller a bill of the expenditures pro-

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vided for in the first Section, certified under his official seal to be correct, not exceeding the said sum of $500, whereupon the Comptroller shall issue his warrant therefor not exceeding said limit. Said Clerk shall have said work and repairs done at as low and reasonable rate as can be.

SEC. 4. That the public welfare requiring it, this Act shall take effect from and after its passage.

Passed March 13, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved, March, 14, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER XCIV.

AN ACT to amend Section 4144 of the Code of Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 4144 of the Code of —— be, and the same is, hereby amended so as to exclude all parties from the benefit of the oath allowing poor persons to sue without giving security, except resident citizens of this State.

Pauper oath allowed citizens only.

SEC. 2. *Be it further enacted,* That all laws and parts of laws in conflict with this Act be, and they are, hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 14, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved, March 17, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER XCV.

AN ACT to change the day in which the Criminal Docket shall be taken up for Marshall County, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That an Act passed March 22nd, 1877, entitled, "An Act to repeal the Act establishing a Criminal Court in the counties of Williamson, Maury, Giles and Marshall," be so amended that Section 5 of said Act shall hereafter read, that the Criminal Docket shall be taken up on the second Monday of the term of court, instead of the first Thursday of the term, as heretofore fixed by said Act, and that the second Monday of the term shall be the day on which the criminal part of said term of court shall commence for said Marshall County hereafter.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 14, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 17, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER XCVI.

AN ACT to Prevent the Sale of Pistols.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be a misdemeanor for any person to sell, or offer to sell, or to bring into the

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State for the purpose of selling, giving away, or otherwise disposing of belt or pocket pistols, or revolvers, or any other kind of pistols, except army or navy pistol; *Provided* that this Act shall not be enforced against any persons now having license to sell such articles until the expiration of such present license.

Sale of pistols forbidden.

SEC. 2. *Be it further enacted*, That any person guilty of a violation of this Act, shall be subject to presentment or indictment, and on conviction, shall pay a fine of not less than twenty-five nor more than one hundred dollars, and be imprisoned at the discretion of the court.

Penalty.

SEC. 3. *Be it further enacted*, That it shall be the duty of the Criminal and Circuit Judges, and other Judges whose courts have criminal jurisdiction, to give this Act specially in charge to the grand jury at each term of the court.

Judges to charge.

SEC. 4. *Be it further enacted*, That it shall be the duty of the grand juries to send for witnesses, in all cases where they have good reason to believe, that the provisions of this Act have been violated. And upon satisfactory evidence of its violation, they shall make presentments of the same without a prosecutor.

Grand jury powers.

SEC. 5. *Be it further enacted*, That all laws and parts of laws in conflict with this Act be, and the same are hereby repealed.

SEC. 6. *Be it further enacted*, That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed March 14, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 17, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER XCVII.

AN ACT to amend the Law Taxing Wagons.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That sub-Section 38 of Section 553a

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of Thompson & Stegers' edition of the Code, which imposes a privilege tax on express wagons, express carts and transfer wagons, be and the same is hereby so amended, as to read: For wagons, drays, and all other vehicles drawn by one horse, one dollar; two horses, two dollars, and one dollar for each additional horse used, except for those used as farm wagons, and by the original vendor, or producer of the products of the soil or dairy, raised or produced by himself. Tax on wagons.

SEC. 2. *Be it further enacted,* That sub-Section 41 of Section 553*a* of the Code, be and the same is hereby so amended, as to strike out of said Section coal and pig iron.

SEC. 3. *Be it further enacted,* That the County Court Clerk shall be allowed a fee of twenty-five cents for issuing the license for each wagon, dray or other vehicle, and that this Act take effect from and after its passage, the public welfare requiring it. Clerks' fee.

Passed March 14, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 17, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER XCVIII.

AN ACT to Authorize Jewish Rabbis to Solemnize the Rite of Matrimony, and to amend Sections 2439 and 2443 of the Code.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 2439 of the Code, be and the same is hereby so amended, as to read: All regular Ministers of the Gospel of every denomination, and Jewish Rabbis, having the care of souls, and all Justices

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of the Peace, Judges and Chancellors in the State, may solemnize the rite of matrimony.

SEC. 2. *Be it further enacted,* That Section 2443 of the Code, be and the same is hereby so amended, as to read: "The Minister of the Gospel, or Jewish Rabbi, or Justice of the Peace, or Judge, or Chancellor, who solemnizes the rite of matrimony, shall endorse on or append to the license the time of the marriage, and sign his name thereto, and return the license to the Clerk of the County Court within six months thereafter.

SEC. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 14, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 17, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER XCIX.

AN ACT to Amend Section 77 of an Act, passed March 22nd, 1873, and approved March 25th, 1873.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 77 of an Act, passed 22nd March, 1873, and approved March 25th, 1873, entitled "An Act to provide more just and equitable laws for the assessment and collection of revenue for State and county purposes, and to repeal all laws now in force whereby revenue is collected from the assessment of real estate, personal property, privileges and polls," be so amended, as that the Agent or Attorney appointed by the Judge or Chairman of the County Court to collect all uncollected taxes, shall have the same power and author-

Back tax collector to distrain.

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ity to issue a distress warrant therefor, as other Revenue Collectors now have under the Statutes of the State.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 14, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 17, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER C.

AN ACT to Amend sub-Section 47 of Section 553*a* of Thompson & Stegers' Code, and to regulate the business of Pawn Brokers.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That sub-Section 47 of Section 553*a* of Thompson & Stegers' Code, which imposes a tax on Pawn Brokers, be so amended, as to read: Pawn Brokers shall pay a privilege license of one hundred dollars annually to the State, which amount shall not be exceeded by a county or corporation for such privilege. Privilege tax.

SEC. 2. *Be it further enacted*, That it shall be the duty of all Pawn Brokers to keep a well bound book, in which every article taken by them in pawn, shall be registered, giving a minute description of each article; also the name, color and residence of the pawner, which book shall be indexed, and the pawnee shall give to the pawner a receipt corresponding with the description in said register, which receipt shall be transferable by a written assignment. To keep a register.

SEC. 3. *Be it further enacted*, That said register shall be kept at his or their place of business, and shall at all times be open to the inspection of the Sheriff of the Open for inspection.

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county, grand jury and City Marshall, to whom said brokers shall give any information in their possession at any time.

Right to sell.

SEC. 4. *Be it further enacted*, That after the expiration of the time for which the article is pawned, the Pawn Broker shall have the right to sell at auction the article so pawned, and out of the proceeds of said sale, he will deduct the amount due him with legal rate of interest, and the balance, if any, he will pay to the pawner or assignee; *Provided* always the time may be lengthened by written agreement between the parties.

Interest.

SEC. 5. *Be it further enacted*, That in no case shall the Pawn Broker be allowed to charge more than the legal rate of interest on money loaned on articles, pawned under the provisions of this Act.

Where to be sold.

SEC. 6. *Be it further enacted*, That the Pawn Broker shall have the privilege of selling the articles pawned after the time for redemption has expired at auction at their place of business, without any additional license, except the same commission as is charged auctioneers on sales made by them.

SEC. 7. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 14, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 17, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CI.

AN ACT to Amend Section 5570 of the Code, and to more properly distribute Costs adjudged against the State and Counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That section 5570 of the Code, be

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and the same is hereby so amended, as to read: A copy of the judgment and bill of costs certified by the Clerk of the Court and by the Attorney General and Judge as provided in the preceding section shall be presented to the Comptroller, Chairman of the County Court, or County Judge, as the case may be, by the Clerk or some other person, authorized by him in writing to so present the same.

Who are to certify.

SEC. 2. *Be it further enacted,* That, if upon examination by the Comptroller, the costs mentioned in the first Section of this Act are chargeable upon the State, the Comptroller, when the same is audited, shall issue his warrant upon the Treasurer in favor of the Judge, or Chairman of the County Court for the amount thereof; and the Judge or Chairman of the County Court shall pay the same over to the County Trustee, who shall keep the same separate and apart from other funds in his hands, and the County Judge or Chairman if, upon examination, they find said costs properly charged to the County, he shall issue his warrant on the County Trustee for such amount as may be due each officer, witness or other person, whenever called on for the same.

Costs to be kept separate.

SEC. 3. *Be it further enacted,* That if the costs mentioned in the first section of this Act are chargeable upon the County, the County Judge or Chairman after the same is audited, shall file the same in his office, and issue his warrant on the County Trustee, for such amount as may be due each officer, witness or other person, whenever called on for the same.

Warrant for Costs.

SEC. 4. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 14, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 18, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER CII.

AN ACT to Amend Section 1597 of the Code, to change the time of appointing Commissioners of the Poor, as therein provided.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That so much of Section 1597 of the Code, as directs and requires the Commisssioners of the Poor to be appointed at the January Session of the County Court every year, be and the same is so amended, as to read: They shall be appointed at the October Session of the County Court every year; *Provided,* That the Commissioners now in office shall hold their office until their successors are elected and qualified.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 14, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 18, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CIII.

AN ACT to Authorize Manufacturing Companies and Blood Horse Associations to appoint one or more guards or watchmen with police powers.

SECTION 1. *Be it enacted by the General Assemby of the State of Tennessee,* That all Manufacturing Establishments

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and Blood Horse Associations in this State shall hereafter have the power to appoint one or more special guards or watchmen, whose duty it shall be to guard and watch said property, who shall possess all the powers now conferred by law on policemen in the City of Nashville.

SEC. 2. *Be it further enacted*, That upon the death, resignation or removal by said companies of any guard or policemen appointed by the said Manufacturing Companies and Blood Horse Associations, as provided for in the first section of this Act, said Company or Association shall have the power to fill the vacancy or vacancies by appointment, which appointee or appointees shall have the same powers as his or their predecessor or predecessors had. Vacancies.

Passed March 14, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 18, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CIV.

AN ACT to appoint three additional Notaries Public for the County of Hardeman.

SECTINN 1. *Be it it enacted by the General Assembly of the State of Tennessee*, That the County Court of Hardeman, is hereby empowered to appoint three Notaries Public for said County in addition to the number now allowed by law.

SEC. 2. *Be it further enacted*, That said Notaries shall reside and keep their offices respectively, in the Towns of Pocahontas, Grand Junction and Toons Station, in said County of Hardeman, and shall be governed by the general laws of this State regarding Notaries Public.

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SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 11, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved, March 18th, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CV.

AN ACT to repeal so much of the Act passed January 30, 1868, Chapter 43 as incorporates the Town of Cleveland, in Bradley County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Sections 15, 16, 17, 18, 19, 20, 21, 22, 23 of the Act of the General Assembly of the State of Tennessee, passed January 30, 1868, Chapter 43 incorporating the Town of Cleveland, in Bradley County, Tennessee, and all laws heretofore passed incorporating said Town be and the same are hereby repealed.

SEC. 2. *Be it further enacted*, That this Act take effect from and after the first of January, 1880.

Passed March 14, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved, March 18th, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER CVI.

AN ACT to change the time of holding the Chancery Courts of Meigs and Rhea Counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That hereafter the Chancery Court of Meigs county, shall begin on Thursdays after the second Mondays of March and September, instead of the second Mondays of said months as now provided by law; and all process returnable to the second Mondays of said months shall be returnable to Thursdays after the second Mondays of March and September.

SEC. 2. *Be it further enacted,* That hereafter the Chancery Court of Rhea county, shall begin on the third Mondays of March and September, instead of Thursdays after the second Mondays of said months as now required by law; and all process returnable to Thursdays after the second Mondays of said months shall be returnable to the third Mondays of said months of March and September.

SEC. 3. *Be it further enacted,* That this Act take effect from and after the 31st day of March 1879, the public welfare requiring it.

Passed March 14, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved, March 18th, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CVII.

AN ACT to abolish sub-Section 1, of Section 1166 of the Thompson and Steger's Code of Tennessee, that prohibits the employment of any but white men as Engineers on Railroads or by Railroad Companies.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 1 of Section1166 of the Thompson and Steger's Code of Tennessee, be repealed,

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and that Railroads or Railroad Companies, shall have the right to employ as engineers, any competent person without respect to color.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 14, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved, March 18th, 1879.

ALBERT S. MARKS.
Governor.

CHAPTER CVIII.

AN ACT to prevent injustice and to secure good and lawful men as Jurors for the trial of all causes before the Courts of this State.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That either party to an action may challenge for cause, any person presented as a petit Juror in either civil or criminal proceeding or trial pending before the Courts of this State, and it shall be a good cause for challenge by either party that such person at the time he is so presented, is drunk or has been drunk during the term of the Court then sitting, or that such person is a habitual drunkard, and the Court shall inquire as to the existence of either, or all of said causes of challenge, by the oath of the party or by such other testimony as the Court in its discretion may desire to hear on behalf of either party.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 14, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 18th, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER CIX.

AN ACT to amend the lien laws of Tennessee, so as to protect hotel and boarding house keepers.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That all keepers of hotels boarding houses and lodging houses, whether licensed or not, shall have a lien on all furuiture, baggage, wearing apparel or other goods and chattels brought into any such hotel, boarding house or lodging house, by any guest or patron of the same, to secure the payment by such guest of all sums due for board or lodging; said lien shall attach in all cases where a liability has been created, without regard to the time of such board or lodging.

SEC. 2. *Be it further enacted,* That said lien shall be enforced as other liens are now enforced by law.

SEC. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 14, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved, March 18th, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CX.

AN ACT to change the time for holding the Circuit Court for Claiborne County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That from and after the first day May, 1879, the Circuit Court for Claiborne County shall be held on the Monday next preceeding the first Monday

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of March, July and November, instead of the first Monday of January, May and September, as now provided by law, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 14, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES.
Speaker of the House of Representatives.

Approved, March 18th, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CXI.

AN ACT to change the line between Claiborne and Union Counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the line between the Counties of Union and Claiborne, be so changed as to place the entire farm of Benjamin Pike, upon which he now resides and a portion of which lies in each of said Counties, in Claiborne County.

SEC. 2. *Be it further enacted,* That this Act to take effect from and after its passage, the public welfare requiring it.

Passed March 14, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved, March 18th, 1879.

ALBERT S. MARKS
Governor.

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CHAPTER CXII.

AN ACT to amend sub-Section 3 of Section 542 of the Code of Tennessee.

SECTION 1. Be *it enacted by the General Assembly of the State of Tennessee*, That the third sub-Section of Section 542 of the Code be so amended that each and every part of the property belonging to literary, scientific, benevolent and religious societies and institutions, not used for a literary, scientific or benevolent and religious purpose, be liable to taxation as other property used for like purposes.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 14, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 18, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CXIII.

AN ACT to amend Section 3204 of the Code of Tennessee, so as to require notice to all parties against whom motions are made for judgments for costs.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That in all cases when motions are made against the successful party for costs accrued, at his instance, and which cannot be collected from the other

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party, five days written notice of the time and place and the Court before which said motion is to be made shall be given to the defendant in said motion.

Passed March 14, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 18, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CXIV.

AN ACT to require Clerks of Courts to keep one style of a cause.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That hereafter the Clerks of the several Courts of this State shall not change the style of any cause, or papers in the same, without permission of the Chancellor or Judge presiding, after the same has been docketed.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 14, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 18, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER CXV.

AN ACT to authorize the introduction of certified transcript or copy of transcribed Records, as evidence in the Courts of this State.

SECTION. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That whenever the records, or any part of the records, of any of the counties of this State are transcribed by order or authority of the County Court of such county on account of the original records being mutilated, defaced, or for any other cause, a certified copy from such transcribed Records shall be admissible as evidence in the several courts of this State, and shall have the same validity as if said certified copy was made from the original record.

SEC. 2. *Be it further enacted,* That the term, records, used in the foregoing Section, shall be construed to mean any records of the County, Common Law, Circuit, Criminal, or Chancery Court, the Register's books, the Surveyor's and Entry Taker's book, and all other public records, required by law to be kept in the several Courts of this State.

SEC. 24. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 14, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES.
Speaker of the House of Representatives.

Approved March 18, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CXVI.

AN ACT to repeal an Act incorporating the Town of Saltillo, in Hardin County, Tennessee.

SECTION 1. *Be it enacted by General Assembly of the State of Tennessee,* That the Fifty-third Section of an Act entitled, "An Act to incorporate the Town of Maynard-

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ville, and for other purposes," passed February 17, 1870, be, and the same is hereby, repealed.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 14, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 18, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CXVII.

AN ACT to place District No. 4 of Obion County within the jurisdiction of Circuit and Chancery Courts, held at Troy, the County seat.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That District No. 4 of Obion County, be placed within the jurisdiction of the Circuit and Chancery Courts held at Troy, the County seat of Obion County, and that said District, No. 4, be entitled to all the privileges and liable to all the duties of the other Districts within the jurisdiction of said Courts.

Passed March 14, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 18, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER CXVIII.

AN ACT for the relief of M. A. Driskill.

WHEREAS, It appears that M. A. Driskill was Trustee and Tax Collector of Cocke County, and had to pay to the State more than five hundred dollars over and above what he had collected, on account of the burning of the tax books with the Court House of Cocke County, on 31st December, 1876; Therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Comptroller of the State issue a warrant upon the Treasurer of the State for five hundred dollars, to M. A. Driskill, to be paid out of the money of the State not otherwise appropriated.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 14, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 18, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CXIX.

AN ACT to change and make straight the line between Blount and Sevier Counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the County line between Blount and Sevier Counties be changed as follows:

Beginning on the Blount and Sevier County line, near Millstone Gap in Bluff Mountain; thence a direct line to Shook's Gap, in Bays' Mountain; thence with the top of said Mountain, to the Sevier County line. Boundaries.

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SEC. 2. *Be it further enacted,* That the County Surveyors of the Counties of Blount and Sevier, together with J. R. Chandler and E. S. Thompson, of Sevier County, and Hugh Cox and Andrew McTeer, of Blount County, are hereby appointed Commissioners to run and mark said County line.

Commissioners.

SEC. 3. *Be it further enacted,* That said Commissioners shall take an oath, before some Justice of the Peace, that they will faithfully, honestly and impartially perform the duties of said Commission; and they shall perform the duties above designated within six months after the passage of this Act.

To make oath.

SEC. 4. *Be it further enacted,* That said Commissioners shall make two plats of the survey, and shall accompany them with such report as may be necessary to explain said survey; and said plats of survey shall be signed by the Commissioners, and one copy filed in the Register's office of each County of Blount and Sevier, which shall be registered by the respective Registers thereof.

Plats.

SEC. 5. *Be it further enacted,* That the Commissioners shall mark the line on such standing timber, with such fore and aft marks and side lines as they may deem necessary to make said line plainly known; and said County Surveyors shall be paid the sum of three dollars per day—while they are employed at said service, to be paid by their respective Counties.

Line to be marked.

SEC. 6. *Be it further enacted,* That the fractions of either of the above named Counties that may be added to the other County by the change of the County line as above provide for, shall continue to be liable for their *pro rata* of all debts contracted by their respective counties prior to said change, and shall be entitled to their proportion of any stock or credits belonging to the county from which said fractions are taken.

Liable for debts.

Passed March 14, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.
Approved March 18, 1879.
ALBERT S. MARKS,
Governor.

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CHAPTER CXX.

AN ACT to amend Sections 1, 2, 3 and 4 of an Act passed the 2d day of March, 1854, Chapter 208, entitled, An Act to incorporate the Trustees of the Dyersburg Female Academy, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 1 of an Act passed the 2d day of March, 1854, Chapter 208, be so amended that the name of the Dyersburg Male and Female Academy, organized under that Act or any other law or laws of the State, be hereafter known by the name of the Dyersburg Male and Female College. Name changed.

SEC. 2 *Be it further enacted,* That Section 2nd of said Act be so amended as to appoint in the room and stead of the Board of Trustees therein, the following named persons (who are now acting as the Board of Trustees), to-wit: T. H. Benton, J. H. Christie, C. P. Clark, I. F. Child, W. C. Doyle, H. F. Ferguson, G. B. Miller, C. C. Moss, T. W. Neal, E. C. Pate, A. G. Pierce, A. M. Stevens, E. G. Sugg and J. L. Webb, and shall be known by the name of the "Board of Trustees of the Dyersburg Male and Female College," who shall have all the powers and exercise all the privileges, and be entitled to all benefits under the present laws of the Trustees or their successors mentioned in said section, as if the name had not been changed from the Dyersburg Male and Female Academy, to the Dyersburg Male and Female College, and the title to the ten acres of land therein mentioned, is hereby vested in the said Board of Trustees, as the successors of the Trustees mentioned in said section two, (now by this Act known by the name of the Board of Trustees of said Dyersburg Male and Female College), and their successors forever, and they and their successors shall have power to purchase and hold real and personal property for the use of said Institution, and do all other acts for the cause of education that other Trustees of Academies and Colleges of the State are now empowered to do, and have all the benefits of the common school fund, or funds of the other Academies and Colleges of the State. Trustees.

SEC. 3. *Be it further enacted,* That any five of said

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Quorum. Board of Trustees and their successors, shall constitute a quorum to do business.

SEC. 4. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 14, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.
Approved March 18th, 1879.
ALBERT S. MARKS,
Governor.

CHAPTER CXXI.

AN ACT to change the name of County site of Unicoi county.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the name of the County site of Unicoi County be, and the same is hereby changed from Vanderbilt to Ervin.

SEC. 2. *Be it further enacted,* That this Act take effect from and after the first day of May, 1879.

Passed March 14, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.
Approved March 18th, 1879.
ALBERT S. MARKS,
Governor.

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CHAPTER CXXII.

AN ACT to change the time of holding the Chancery Court at Bolivar, Hardeman County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That hereafter the Chancery Court for the County of Hardeman, shall be held on the second Mondays in June and December, and all process now issued shall be returnable at the time herein named for holding said court.

SEC. 2. *Be it further enacted,* That all Acts in conflict with this Act be, and the same are hereby repealed, and this Act take effect from and after its passage, the public welfare requiring it.

Passed March 14, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives

Approved March 18th, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CXXIII.

AN ACT to amend an Act approved on the 27th February, 1879, in regard to the State Library.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 7 of an Act approved February 27th, 1879, in regard to the State Library, be so amended that the Attorney General and Reporter of the State be permitted to take books from the Library upon the same conditions as the Judges of the Supreme Court, United States Judges and United States District Attorneys are allowed to do by said Act.

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SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 14, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 18th, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CXXIV.

AN ACT to amend an Act entitled, "An Act to amend an Act to incorporate the Town of Pulaski, in the County of Giles," passed February 2d, 1850.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That an Act to amend an Act to incorporate the Town of Pulaski, in the County of Giles, passed February 2d, 1850, be so amended as to give the Mayor and Aldermen of said town authority by ordinance; 1st, To impose fines, forfeitures and penalties for the breach of any ordinance or by-law of said town, and default of payment of such fine, forfeiture, penalties and costs, punished within or without a workhouse; *Provided,* the imprisonment shall not be longer than three months for any one offense; and, *Provided further,* That the costs and expenses of conviction do not exceed that as now fixed by law. 2d, To prevent and punish by pecuniary penalty all breaches of the peace, noise, disturbances, Sabbath breaking, all disorderly assemblages in any street, house, or place within the municipality, by day or night, and in default of payment of fines, penalties and costs, may commit to jail or workhouse. 3d, To erect and organize a workhouse within the corporate limits of said town, and any person who shall fail or neglect to pay any fine or forfeiture and costs imposed by any ordinance of said corporation, shall be committed to the workhouse until such fine, forfeiture and costs shall have been fully paid. Every person committed to the workhouse shall

Workhouse.

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be required to work for said town at such labor as shall be required by the Street Committee, as his or her health and strength will permit, within or without said workhouse, and for such work and labor the person employed shall be allowed, exclusive of board, a credit upon such fines, forfeiture and costs, of fifty cents per day until the whole is discharged, when such person shall be released; *Provided*, That no person shall be compelled to work longer than three months for any one offense. 4th, To contract with the county jail of said County for the use of the jail, which may be used as a workhouse. 5th, To pass all ordinances and by-laws not contrary to the constitution and laws of the State, that may be necessary to carry out the full intent and meaning of this Act, and to accomplish the object of their incorporation.

Prisoners to work out fines.

Price allowed prisoners.

6th. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 14, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 20th, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CXXV.

AN ACT to repeal the Charter of the Town of Gardner, in Weakley County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Sections 80, 81, 82, 83, 84, 85, 86 and 87, of "An Act to incorporate the Town of Maynardsville, and for other purposes," passed February 17th, 1870, Chapter 59, incorporating the Town of Gardner, in Weakley county, be, and the same are hereby repealed.

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SEC. 2. *Be it further enacted,* That this Act take effect from and after it passage, the public welfare requiring it.

Passed March 17th, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 20th, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CXXVI.

AN ACT to repeal the Act incorporating the Town of Rogersville.

Charter annulled.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 12 of an Act passed February 24th, 1870, entitled, "An Act to incorporate the Memphis Real Estate Association, and for other purposes," and by which Section of said Act, the Town of Rogersville, in the County of Hawkins, was incorporated, be, and the same is hereby repealed, and the Charter of said town annulled.

Records to be deposited.

SEC. 2. *Be it further enacted,* That the Mayor and other officers of said town shall, within thirty days after the passage of this Act, deposit all books, records and papers belonging to their offices with the Clerk of the County Court of said County, for safe keeping, and said Clerk shall keep said books, records and papers as other records are kept; *Provided,* That nothing herein contained shall be so construed as to affect the tenure or term of office of the "Justice of the Peace" elected by the qualified voters of said Town of Rogersville, in pursuance of Section 339 of the Code.

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SEC. 4. *Be it further enacted,* That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed March 17th, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 20th, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CXXVII.

AN ACT to establish a Chancery and Law Court at Bristol, in the County of Sullivan.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the 17th Civil District of Sullivan County shall constitute a Chancery District, and the Court shall be held at the Town of Bristol, by the Chancellor of the First Chancery Division of this State, on the second Mondays of June and December of each and every year. Chancery district.

SEC. 2. *Be it further enacted,* That the Chancellor of said Division shall immediately after the passage of this Act, appoint a Clerk and Master for said Court, who shall perform all the duties, have all the rights and powers, and be subject to all the duties and liabilities now by law imposed upon such officers, and shall have all the fees and emoluments as are now allowed to such officers, and before entering upon the duties of said office, he shall execute the several bonds now required by law for Clerks and Masters to execute, and shall take the oaths prescribed by law, and shall keep his office in the Town of Bristol. Clerk and Master.

SEC. 3. *Be it further enacted,* That the Sheriff of said Sullivan County and his deputies shall serve as the offi-

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Sheriff. cers of said Court, and shall obey all orders, and execute all process as now required by law to do, by the orders of the Chancery Courts of said Sullivan County. He shall execute separate bonds for the faithful performance of his duties as such officer of said Court, and shall have all the rights, and be subject to the same penalties, and receive the same compensation as now provided by law for the various Sheriffs of this State.

Fines and forfeitures. SEC. 4. *Be it further enacted*, That the fines and forfeitures arising or growing out of any business in said Court, shall be disposed of as the fines and forfeitures which are now collected in the Chancery Courts of this State.

Transferring of suits. SEC. 5. *Be it further enacted*, That any suits now pending or hereafter brought in the Chancery Court at Blountville, may by consent of the parties be transferred to the Chancery Court at Bristol. That upon application of the parties for a removal as aforesaid, the Clerk and Master at Blountville shall transmit all the papers in the case, together with a copy of all orders and decrees to the Clerk of the Chancery Court at Bristol, also a bill of the costs accrued in said Court at Blountville.

Who may bring suit. SEC. 6. *Be it further enacted*, That the citizens of the First, Second and Nineteenth Civil Districts of said Sullivan County, may bring their suits in equity in the said Court at Bristol, against any citizens residing within said Civil Districts, but no citizens residing out of said First, Second and Nineteenth Civil Districts shall be sued in said Courts, unless the subject of said suit is situate in said Civil Districts.

SEC. 7. *Be it further enacted*, That no citizen of the said Seventeenth Civil District of said County shall be sued in the Chancery Court at Blountville for said County, unless it be in a local action of which said last mentioned Court has exclusive jurisdiction by reason of the location of the property about which the action may be brought.

SEC. 8. *Be it further enacted*, That counterparts of writs may issue from said Court, against joint defendants residing or living beyond the limits of said Seventeenth Civil District, in all cases where the Court has the legal or rightful jurisdiction of the subject matter of the litigation.

Expense of Courthouse. SEC. 9. *Be it further enacted*, That the expense of erecting or providing a Court House and all necessary offices for said Court shall be paid by the citizens of the Town of Bristol, and none of the citizens of Sullivan

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County, residing out of the limits of the Town of Bristol, shall never be taxed to pay any portion of the expenses of erecting or providing any of said public buildings at Bristol.

SEC. 10. *Be it further enacted*, That there shall be held at Bristol, in the County of Sullivan, a Law Court for the Seventeenth Civil District of said County, to be called the Law Court of Bristol, and to constitute one of the Courts of the First Judicial Circuit, and to be held by the Judge thereof, with common law jurisdiction, original and appellate—over all causes of a civil nature, arising within said Seventeenth Civil District. Law Court.

SEC. 11. *Be it further enacted*, That the citizens of the First, Second and Nineteenth Districts of said County may bring their civil actions in said Law Court against citizens of the said First, Second, Seventeenth and Nineteenth Districts of said County if they so desire, and said Law Court shall have and exercise jurisdiction over the same, as if all the parties resided in said Seventeenth Civil District, and all civil causes heard and determined before any Justice or Justices of the Peace of said First, Second, Seventeenth and Nineteenth Districts, may be appealed or brought up by writs of *certiorari* to said Law Court; *Provided*, the plaintiff or defendant resides in said First, Second, Seventeenth or Nineteenth Districts, and either of them demand such appeal or writs of *certiorari*, said Law Courts shall have and exercise jurisdiction over all such cases, as if the same had been heard by a Justice or Justices of the Peace of said Seventeenth Civil District, and between citizens of said Seventeenth Civil District. Who may bring suits.

SEC. 12. *Be it further enacted*, That the citizens of said County of Sullivan, residing outside of said First, Second, Seventeenth and Nineteenth Districts, shall not be liable to be sued in said Law Court at Bristol, unless in real actions, of which said Law Court has exclusive jurisdiction; but any defendant residing outside of said Civil Districts may waive his rights and have his suit returned to said Law Court, notwithstanding the process issued from, and is returnable to, the Circuit Court of Sullivan County in any civil action, unless the cause of action is of such a local nature as to give the Circuit Court of Sullivan County peculiar or exclusive jurisdiction in all cases, as provided for in this Section, where the right is Jurisdiction.

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so waived, the said Law Court shall have and exercise jurisdiction over them, as it the same had been brought by citizens of the Seventeenth Civil District against citizens of the same District.

rms. SEC. 13. *Be it further enacted,* That said Law Courts shall be held by the Judge of the First Judicial Circuit, on the fourth Mondays of March, July and November of each and every year, and said Judge shall have and exercise all the powers and perform all the duties provided by law for the Circuit Court Judges of this State, and the practice in said Law Court shall be the same as in the Circuit Courts of the State, and whenever said Law Court has jurisdiction over any cause of action, counterpart of any original writs, may issue from said Court, for joint defendants residing outside of said First, Second, Seventeenth and Nineteenth Districts.

Sheriff SEC. 14. *Be it further enacted,* That the Sheriff of said Sullivan County shall by himself or deputy attend the sittings of said Court, and aid in holding the same as is now provided by law for Sheriffs of this State, requiring them to be present and discharge certain duties, and said Sheriff shall himself or have a deputy who shall reside in said 17th Civil District, and shall himself or deputy perform all the duties pertaining to said Law Court, and have all the fees and emoluments that are now allowed by law to the various Sheriffs of this State.

Clerk. SEC. 15. *Be it further enacted,* That the Clerk of the Circuit Court of Sullivan County shall be the Clerk of said Law Court at Bristol, aud shall by himself or deputy keep an office in the Town of Bristol for the transaction of all business pertaining to said court, and shall keep the same open constantly, and shall have and exercise all the powers, and receive all the fees and emoluments that are common to all Clerks of the Circuit Courts of this State.

Jur. SEC. 16. *Be it further enacted,* That the Justices of the Peace of the said 17th Civil District shall, on the first Saturdays of March, July and November, of each and every year, designate twelve good citizens, free-holders or house-holders, residing in said First, Second, Seventeenth and Nineteenth Districts, to serve as jurors to said Law Court for the term immediately ensuing, after their designation. Said Justices shall hand a list containing said jurors to the Clerk of said Law Court who shall immediately issue a writ of *venire facias* commanding the Sheriff to summons said jurors, named in said writ, to attend as jurors, if said justices fail to designate said jurors

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the Judge shall at the opening of said Court at each term when such failure occurs appoint the jurors for said term out of any of the citizens who are qualified, regardless of whether they reside out of said 17th Civil District or not; that the jurors to said Law Court shall have the same pay as the jurors who attend the Circuit Courts of this State, and be paid as other jurors of said Sullivan County.

Bristol to pay for buildings.

SEC. 17. *Be it further enacted*, That the citizens of the Town of Bristol shall pay all the expenses incurred or to be incurred in erecting or providing suitable buildings for a court house and necessary public offices for said Law Court and none of the other citizens of the said Seventeenth Civil District or of Sullivan County, except the citizens of the Town of Bristol shall ever be taxed for said purposes.

Suits may be transferred.

SEC. 18. *Be it further enacted*, That any suit or suits of a civil nature, now pending in the Circuit Court of Sullivan County, between citizens of the said First, Second, Seventeenth and Nineteenth Districts, may, by consent of the parties or their attorneys, be transferred to the Law Court at Bristol, and said Court shall have and exercise the same jurisdiction over them as if they had been originally brought in said Law Court. That all fines and forfeitures arising from, or growing out of said Law Court, shall be disposed of as the fines and forfeitures which are imposed by the Circuit Court of Sullivan County.

That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 18, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 20, 1879.

ALBERT S. MARKS,
Governor.

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CXXVIII.

AN Act to repeal an Act passed 29th October, 1819, Chapter 111, entitled, An Act to incorporate the inhabitants of the Town of Carthage, in Smith County, and to repeal an Act amendatory thereof passed February 17, 1858, Chapter 66, entitled, An Act to amend an Act passed 29th October, 1819, Chapter 111, entitled, An Act to incorporate the inhabitants of the Town of Carthage, in Smith County, so far as it relates to the incorporation of the Town of Carthage.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Acts referred to, in the title to this Act, so far as they incorporate or relate to the incorporation of the Town of Carthage, be and the same are hereby repealed.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 18, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 20, 1879.

A. S. MARKS,
Governor.

CHAPTER CXXIX.

AN ACT to amend an Act entitled "An Act to Establish and maintain a uniform system of Public Schools," passed March the 6th, 1873, and approved March the 15th, 1873.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That sub-Section 10 of Section 20 of an Act entitled "An Act to establish and maintain a uniform system of Public Schools," passed March the 6th, 1873, be and the same is hereby so amended, as to read:

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That it shall be the duty of the District Directors to draw upon the County Trustee in favor of the Teachers of their districts for any school money due such Teachers in the hands of the Trustee for distribution in their districts, and they shall also draw their warrants upon the Trustees for any other school money expended properly under the law for other purposes, said warrants to be approved by the County Superintendent before the same shall be paid by the County Trustee; and hereafter it shall not be lawful for the Trustee to pay any school money over to the Clerks of District Board of Directors, but he shall hold the same, and only pay it out as provided for in this Section of this Act; and it shall be the duty of the Trustee to make to the County Superintendent on or before the 15th day of September, of each year, a full and correct report of the amount of money received by him for school purposes, and the disbursements of the same.

County trustee to pay teachers on warrant of school directors.

SEC. 2. *Be it further enacted*, That the County Trustee shall be allowed five per cent. on all school money collected by him from the tax-payers of his County and paid out by him, upon the orders of School Directors, and to a commission of one per cent. on all school money received by him from the State Treasurer, or other sources, and paid out according to law.

Fee allowed trustee.

SEC. 3. *Be it further enacted*, That the Clerks of the District Directors shall not receive more than two per cent. per capita for his services in taking the census of the children in his district, between the ages of six and twenty-one years, and for making his report thereof "and other reports" to the County Superintendent and County Trustee, which sum shall be paid by the County Trustee, upon the order of the County Superintendent, out of the funds due said district; *Provided*, That the County Superintendent shall not draw any order in favor of any District Clerk, who fails to make his report of the scholastic population of his district within the time prescribed by law, and said two cents per capita shall be in full compensation for all his services as such clerk for one year.

Clerks' fee.

SEC. 4. *Be it further enacted*, That persons living on each side of a county line, and not convenient to a Public School, in their respective districts or Counties, may form themselves into a school district jointly, the children of each County drawing their respective pro rata of Public School money; *Provided*, That the School Directors of the school districts, adjoining said County line, may agree

To form joint districts.

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as to the number of scholars taken from each County to form said district.

Qualifications of State Superintendent.

SEC. 5. *Be it further enacted*, That Section 3 of said Act, be so amended, as to read: That the State Superintendent shall be a person of literary and scientific attainments, and of skill and experience in the art of teaching, and who shall be nominated by the Governor and confirmed by the Senate.

Final settlements.

SEC. 6. *Be it further enacted*, That the District Directors are hereby authorized to sub-divide school districts, and their acts in this regard shall be subject to the approval of the County Court, and it shall be the duty of the County Superintendents to see that District Clerks and Treasurers make full and final settlements for all school money and pay over any balance in their hands to the Trustees, to be placed to the credit of the district entitled to the same.

Passed March 14, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 22, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CXXX.

AN ACT to fix the time for holding the Circuit Court of DeKalb County, and to amend Chapter 116 of the Acts of 1877.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That hereafter the Circuit Courts of DeKalb County shall begin on the second Mondays of March, July and November.

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SEC. 2. *Be it further enacted,* That this Act take effect from and after the next March Term of said Court.

Passed March 17, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 22, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CXXXI.

AN ACT to punish any person who buys or raises cotton, tobacco, or other produce, merchandise, or property, and procures an advance thereupon, and fails to deliver it, or otherwise disposes of it, and to define the jurisdiction of the Courts in such cases.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That whosoever shall buy any cotton, tobacco, or other produce, merchandise, or property, for cash, or otherwise, or who shall raise any cotton, tobacco, or other produce, or property, and shall procure an advance upon such produce or property, pledging the delivery of such produce, or property to the person or persons making the advance, and shall sell, hypothecate, or pledge the same to another person, and use the proceeds thereof for any other purpose than the payment of the seller, vendor, or person advancing thereon, or shall ship, convey, or otherwise make way with, or shall deliver to another any such cotton, tobacco, or other produce, or merchandise, without paying such seller, vendor, or person having made advances thereon, shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by imprisonment in the County jail, not more than sixty days, nor less than thirty days.

SEC. 2. *Be it further enacted,* That the Courts in the County wherein is situated the office, or place of business

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of the person or persons having made advances on such produce, or property, shall have jurisdiction of the cases arising under this Act, and of the person so violating it.

SEC. 3. *Be it further enacted*, That all laws now in force, that are in conflict with this Act, be and the same are hereby repealed.

SEC. 4. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 19, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 22, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CXXXII.

AN ACT requiring the name or names of every member of a firm to be written on the face of their license.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That hereafter, any two or more persons, who shall associate themselves together in any copartnership or company, to engage in any mercantile, or other business, requiring a license, by the laws of this State, that it shall be necessary, in order to obtain such license for such copartnership or company, to have the names of each and every member of the same written in the face of such license, a copy of which license, shall be retained by the Clerk, in a book, kept for that purpose, which shall be open to inspection to all parties desiring to inspect the same.

SEC. 2. *Be it further enacted*, That any company or copartnership, who are now engaged in any mercantile or

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other business, which the laws of this State require them to take out a license to engage in, it shall be necessary, in order for such firm, copartnership or company to have such license renewed, to have the names of each and every member of such company or copartnership written in the face of such renewed license, a copy of which shall be retained by the Clerk for inspection, as provided in the in the first section of this Act.

SEC. 3. *Be it further enacted,* That the provisions of this Act shall not apply to incorporated companies.

SEC. 4. *Be it further enacted,* That all laws in conflict with the provisions of this Act, are hereby repealed, and that this Act will take effect from and after its passage, the public welfare requiring it.

Passed March 19, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 22, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CXXXIII.

AN ACT to protect game in Cumberland, Fentress, Morgan Scott, Campbell, Overton, Putnam, White, Roane, Rhea, Bledsoe and Van Buren Counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall not be lawful for any person, other than citizens of Cumberland, Fentress, Morgan, Scott, Campbell, Overton, Putnam, White, Roane, Rhea, Bledsoe and Van Buren Counties, to hunt and kill deer, or any species of game, for profit, in said Counties; *Provided,* That all citizens of the State of Tennessee be allowed to hunt and kill deer, or any species of game for their own use. Offense.

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SEC. 2. *Be it further enacted,* That all persons of other States violating the first section of this Act, shall be subject to a forfeiture of fifty dollars for the first offense, and one hundred dollars for each subsequent offense, to be recovered before any Justice of the Peace in the Counties enumerated in first section of this Act, in the name of any persons, who may sue for the same, one half to go to the County Trustee for the use of common schools, and the other half to the party suing therefor, and that the Justice of the Peace shall have the power to commit the violator of this law to jail, unless the forfeiture and costs are paid, or unless the same is safely secured.

Penalty.

SEC. 3, *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 19, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 22, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CXXXIV.

AN ACT to amend Section 120*a* of Thompson & Stegers' Code of Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennesseee,* That Section 120*a* of Thompson & Stegers' Code of Tennessee, be so changed, as to include District No. 10, of Obion County, within the jurisdiction of the Common Law Court, at Union City, and that said District No. 10, of Obion County, shall have all the rights and privileges, and be liable to all the duties of the other districts of Obion County attached to said Common Law Court at Union City.

No. 10 attached to Union City law court.

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SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 19, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 22, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CXXXV.

AN ACT to allow Receivers, appointed by Courts of other States, to bring and become parties to pending suits in any of the Courts of Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That hereafter Receivers, appointed by the Courts of other States, may sue on any debt, demand or right, or sue for any property, to which they may be entitled in the Courts of this State, upon giving bond, as now required by law.

SEC. 2. *Be it further enacted,* That all such Receivers may become parties, either as plaintiffs or defendants, by petition, to any suits now pending in the Courts of this State, whenever any property claimed by said Receiver, is involved, upon giving such bond as the Court may require.

SEC. 3. *Be it further enacted,* That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed March 19, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 22, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER CXXXVI.

AN ACT to Abolish the Corporation of the Town of Newport.

WHEREAS, The citizens of the Town of Newport did, in compliance with the provisions of Section 1349, and the succeeding Sections of Title 9, Chapter 1, Article 1, of the Code, incorporate said Town of Newport; and,

WHEREAS, There are no provisions under said sections, by which the citizens of said town may surrender their charter of incorporation; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the action of the citizens of Newport, by which said town was incorporated, be and the same is hereby annulled, and the corporation of Newport be and is hereby abolished.

SEC. 2. *Be it further enacted*, That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed March 19, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved, March 22, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CXXXVII.

AN ACT to change the line between the Counties of Hamilton and Rhea, Bledsoe and Cumberland, James and Hamilton, Van Buren, Bledsoe and White, Loudon and McMinn, Giles and Lawrence, Rutherford and Williamson, Rutherford and Davidson, Roane and Cumberland, Roane and Loudon, Campbell and Scott, Davidson and Cheatham, Union and Claiborne, Monroe and Loudon, Wilson and Trousdale Crockett and Gibson.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That that portion of the line between the Counties of Hamilton and Rhea, which divides the

Hamilton and Rhea.

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farm of James A. Kelly, be so changed, as to run from a stake on the County line corner, to J. W. Peace's land, with said Peace's line, southwestwardly to William Nash's line; thence with Nash's line to the County line, so as to include the farm of James A. Kelley, in Rhea County.

SEC. 2. *Be it further enacted*, That the line between the Counties of Bledsoe and Cumberland be so changed, as to include the lands of Mark Stephen, E. F. Patton, and the lands adjoining the County of Bledsoe, belonging to J. M. Thorm and the Stephen heirs, be attached to the County of Bledsoe; and that nothing in this Section of this Act shall be so construed as to prevent the County of Cumberland from collecting all revenue from the above named parties. Bledsoe and Cumberland.

SEC. 3. *Be it further enacted*, That the line between the Counties of James and Hamilton be changed, so as to run with the Harrison Branch, from where it now crosses said branch, to the farm of L. J. Plumers; thence running east with the line of Plumers, to the northwest corner of R. E. Bell's line; thence with Bell's line south to the line of A. G. W. Puckett; thence with the line of Puckett and Tim Gutherie to the line of Mrs. Jane Clark; thence east with the line of Mrs. Clark and Tim Gutherie, and the line of the heirs of James Varnell to the line of Anderson Cooper, so as to include the farms of R. E. Bell, Tim Gutherie and Anderson Cooper, in James County. James and Hamilton.

SEC. 4. *Be it further enacted*, That the line between the Counties of Van Buren and Bledsoe be so changed, as to include the lands of Jesse Wallings, in Van Buren County; and the line between the Counties of Van Buren and White, be so changed, as to include the lands of A. J. McElroy, in the County of Van Buren. Van Buren and Bledsoe. Van Buren and White.

SEC. 5. *Be it further enacted*, That the line between the Counties of Loudon and McMinn be so changed, as to include all the farm of F. Smith in Loudon County. Loudon and McMinn.

SEC. 6. *Be it further enacted*, That the line between the Counties of Rutherford and Williamson be so changed, as to include within the County of Williamson, all the lands of J. C. Anderson, now situated in the County of Rutherford. Rutherford & Williamson.

SEC. 7. *Be it further enacted*, That the line between the Counties of Rutherford and Davidson be so changed as to include the lands of J. T. Alexander and John M. White, in the County of Rutherford. Rutherford and Davidson.

SEC. 8. *Be it further enacted*, That the line between the Counties of Roane and Cumberland be changed, so as Roane and Cumberland.

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to include the lands of William Powell, in the County of Roane.

Roane and Loudon.

SEC. 9. *Be it further enacted*, That the line between the Counties of Roane and Loudon be changed, so as to include the entire farm of S. P. Cook, in the County of Loudon.

Campbell and Scott.

SEC. 10. *Be it further enacted*, That the line between the Counties of Campbell and Scott, be so changed, as to include the farm of J. Q. Cross, in the County of Scott.

Davidson and Cheatham.

SEC. 11. *Be it further enacted*, That the line between the Counties of Davidson and Cheatham, be so changed, as to include all that portion of Dr. B. G. Hampton's home tract on Cumberland River, in Davidson County.

Union and Claiborne.

SEC. 12. *Be it further enacted*, That the line between the Counties of Union and Claiborne, be so changed, as to include the farms of Isaac Holoway, John D. Parker and Jacob Leach, in the County of Claiborne.

Gibson and Crockett.

SEC. 13. *Be it further enacted*, That the line between the Counties of Gibson and Crockett, be so changed, as to include the lands of James Lewis, Thermon Jones' heirs, William Bell, Needham Moore, W. G. Jones, J. W. Porter, O. B. Clark, R. J. Williams and D. H. Jones, in the County of Crockett.

Wilson and Trousdale.

SEC. 14. *Be it further enacted*, That the County line between Wilson and Trousdale Counties, be so changed, as to detach all that part of the lands on which E. B. Marshall, C. W. Brantley, James Johnson, Clay Massey, T. L. Webster, Pleasant Turner and R. S. Badgeth, now live (that is, in Wilson County), from Wilson County, and attach the same to the County of Trousdale; the line beginning on the east bank of Cumberland River, at the mouth of Jackson's branch, running east on the line between the lands of David Jackson and W. B. Ramsey; thence between D. Jackson and Lon Bell; thence between E. B. Marshall and John Bonner; thence between Clay Massey and Sam DeBow; thence between Massey, Thomas Petway and Turner to David Young's line, on the line between Young and Webster to Cumberland river.

Giles and Lawrence.

SEC. 15. *Be it further enacted*, That the line between the Counties of Giles and Lawrence, be so changed, as to include all the lands of Berry Brashears, in the 9th district, of the County of Lawrence.

Monroe and Loudon.

SEC. 16. *Be it further enacted*, That the line between the Connties of Monroe and Loudon, be so changed, as to include all the lands of Darius Hudgings, in the County of Monroe.

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SEC. 17. *Be it further enacted*, That all laws in conflict with this Act, be and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 17, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved, March 25, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CXXXVIII.

AN ACT to amend an Act, entitled, "An Act to reduce the several Acts, incorporating the Town of Morristown, into one Act, and to amend the same," passed November 21, 1867, Chapter 19, and to amend Sections 3, 6 and 7, of an Act, entitled, 'An Act, to authorize municipal corporations to settle their indebtedness," approved March 14, 1877, Chapter 10, in its application to said Town of Morristown.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the third Section of the said Act, approved March 14, 1877, Chapter 10, entitled, "An Act, to authorize Municipal Corporations to settle their indebtedness," so far as the same relates to and constitutes a part of the Charter of said Town of Morristown, be and the same is hereby amended, so as to read as follows: That the new bonds of the Town of Morristown, hereby authorized to be issued, shall have not less than twenty years to run before maturity, and shall be redeemable by the corporation, at any time after five years from the date of issuance, and shall be issued in sums of one hundred dollars each, with coupons attached, bearing six per cent. interest per annum, payable at the Treasurer's office, in Morristown, semi-annually, on the first day of January and July, each year, and such bonds

New bonds Morristown.

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shall be signed by the Mayor, and countersigned by the Recorder of the corporation, with the corporate seal affixed thereto; and the same shall be registered in the books of the corporation, showing the number of the bonds, the date of issuance, and to whom issued, and when payable, and record of the bonds, coupons, judgments, or other indebtedness of the corporation, surrendered or discharged, in consideration of the new bonds, shall also be kept on the books of the corporation, showing the amount, date and character of said indebtedness cancelled, by whom surrendered or discharged, and the number and date of the new bonds, issued in lieu thereof; said new bonds shall be redeemable at the pleasure of the corporation, in the order of their respective numbers, at any time after five years from their date of issuance, on thirty days' notice to the holder, his or her agent, designating the bonds called for payment, and the time and place of payment, (which place shall be the Treasurer's office, in Morristown,) or if the residence, or name of the holder, of the called bonds is unknown, then the notice above required, shall be published for four successive weeks, in a newspaper, published in Morristown, the last insertion to be one week before the time of payment, and upon the bonds thus called for payment, with notice served or published as prescribed, no interest shall run or accumulate after the time fixed for payment thereof, unless upon presentation of the bond or bonds for the payment, the same is refused.

SEC. 2. *Be it further enacted*, That the sixth Section of said Act, approved March 14, 1877, Chapter 10, entitled, "An Act, to authorize Municipal Corporations to settle their indebtedness," so far as the same relates to and constitutes a part of the Charter of Morristown, be and the same is hereby amended, so as to read as follows, to-wit: That the said corporation of Morristown, after issuing bonds, under said Act, of March 14, 1877, Chapter 10, as hereby amended, shall be and is hereby prohibited from issuing bonds, or other evidence of indebtedness, for any other purpose than that designated in said Act, so long as any of the said compromise bonds are outstanding and unpaid, and the Board of Mayor and Aldermen, of Morristown, shall annually, during the first five years after the issuance of said compromise bonds, levy a special tax, to be known as the "interest tax," which, when collected, shall be amply sufficient to pay all the coupons attached to said bonds, as respectively mature,

No other than compromise bonds to be issued.

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and all coupons, not otherwise paid, or satisfied, shall, upon presentation to the Treasurer, of the Corporation, in Morristown, be paid as they respectively mature; and after the expiration of said five years, the said Board of Mayor and Aldermen, of Morristown, shall annually levy a special tax, to be known as the "interest and bond tax," of at least one per centum on all property taxable for corporation purposes, and the said interest and bond tax when collected, shall be faithfully applied; first, to the payment of the coupons, as they respectively mature; and secondly, to the payment at par of the said compromise bonds, in the order of their numbers, as the amount thus realized, may enable the Board of Mayor and Aldermen to call in and pay off in the manner above provided. Coupon and bond tax.

SEC. 3. *Be it further enacted*, That the seventh Section of the said Act, approved March 14, 1877, Chapter 10, so far as the same relates to and constitutes part of the Charter of Morristown, be and the same is amended, so as to read as follows: "The Board of Mayor and Aldermen, of Morristown, shall not, during the first five years, after the issuance of said compromise bonds, nor until the whole amount of such bonds outstanding and unpaid is less than five thousand dollars, levy for any purpose whatever, (other than the special taxes above provided for) a tax exceeding forty cents on the hundred dollars for each year; and the Board of Mayor and Aldermen, of Morristown, shall require of the Tax Collector and Treasurer, of the Corporation, ample bond and security for the faithful discharge of their respective duties, in the collection, safe keeping, and accounting for said special taxes provided for in addition to the ordinary bonds of said officers. Tax limit.

SEC. 4. *Be it further enacted*, That said Act, approved March 14, 1877, Chapter 10, entitled, "An Act, to authorize Municipal Corporations to settle their indebtedness," as hereby amended, shall be and constitutes an amendment to and part of said Act, passed November 21, 1867, Chapter 19, entitled, "An Act, to reduce the several Acts, incorporating the Town of Morristown, into one Act, and to amend the same;" but said Act, approved March 14, 1877, Chapter 10, is not repealed or amended, otherwise than herein provided, and only in its application to and as part of the charter of Town of Morristown.

SEC. 5. *Be it further enacted*, That, as the public wel-

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fare requires it, this Act take effect from and after its passage.

Passed March 21, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 25, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CXXXIX.

AN ACT to protect Sheep husbandry.

Scalps wild animals.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That any person who kills a wolf, wild cat, fox, panther, running wild in the State, may produce the scalp of any one of the above named animals with both ears, before the County Court of the County in which the animal or animals were killed, and satisfy the Court by his own oath or otherwise, that the animal or animals were killed in the County.

Scalps burnt and recorded.

SEC. *Be it further enacted,* That the Court shall receive and burn the scalp of each animal, and make a record of the number and different kind of scalps burned.

Pay certificates.

SEC. 3. *Be it further enacted,* That the County Court shall direct the Clerk of the Court to give each applicant that has satisfied the Court of the justice of his claim, a certificate in the sum of two dollars for each wolf and panther scalp, and one dollar for each wild cat scalp, and fifty cents for each fox scalp.

Pays taxes.

SEC. 4. *Be it further enacted,* That the collectors of the public revenue of the State and County taxes shall, upon presentation of any of the above certificates, allow such person presenting the same a credit on his or her taxes; *Provided,* no person shall be allowed to pay more

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than one-half of his or her taxes for the same year with said certificates.

SEC. 5. *Be it further enacted,* The certificate above mentioned shall entitle each revenue officer to a credit on settlement with the Comptroller of the Treasury, Chairman or Judge of the County Court.

SEC. 6. *Be it further enacted,* That no scalp of any of said animals shall come under the provisions of this Act unless killed after the passage of this Act.

SEC. 7. *Be it further enacted,* That all laws and parts of laws in conflict with this Act be, and the same are, hereby repealed.

SEC. 8. *Be it further enacted,* That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed March 21, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved, March 26, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CXL.

AN ACT to change the time of holding the Circuit Courts of Hamblen, Jefferson, Sullivan and Washington Counties, and the Chancery Court of Sullivan County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That after the next term of the Circuit Court of Hamblen County, said Court shall be held for said County on the first Mondays of April, August and December, instead of the third Mondays of April, August and December, as now provided by law. Hamblen County.

SEC. *Be it further enacted,* That after the next term of the Circuit Court of Jefferson County, said Court Jefferson.

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shall be held for said County on the second Mondays of April, August and December, instead of the first Mondays of April, August and December, as is now provided by law.

SEC. 3. *Be it further enacted,* That after the next ter n of the Circuit Court to be held at Blountville for Sullivan County, and Jonesboro in Washington County, said Courts shall be held as follows: The Circuit Court at Blountville on the first Mondays after the fourth Mondays of July, November and March in each and every year; and the Circuit Court of Jonesboro, on the third Mondays after the fourth Mondays of July, November and March of each and every year; and the Chancery Court at Blountville, in Sullivan County, shall here afterbe held on the fourth Mondays of June and December, and the Act of March 23rd, 1877, fixing the time of holding the Chancery Court at Blountville, and that part of the Act of June 25th, 1870, fixing the time of holding the Circuit Courts at Blountville and Jonesboro, so far as they come in conflict with the provisions of this Act, be, and the same are, hereby repealed, and that all laws and parts of laws that come in conflict with the first and second Sections of this Act, be, and the same are, hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Sullivan and Washington.

Passed March 21, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved, March 26, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CXLI.

AN ACT to protect married women in the enjoyment of the rents and profits of their estates.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That hereafter the rents and profits of any property or estate of a married woman, which

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she now owns or may hereafter become siezed or possessed of, either by purchase, devise, gift or inheritance, as a separate estate, or for years or for life, or as a fee simple estate, shall in no manner be subject to the debts or contracts of her husband, except by her consent, obtained in writing; *Provided*, that the Act shall in no manner interfere with the husband's tenancy by the courtesy.

SEC. 2. *Be it further enacted*, That all laws and parts of laws in conflict with this Act be, and the same are, hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 21, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved, March 26, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CXLII.

AN ACT amendatory of an Act passed and approved March 25th, 1877, to encourage the raising of blooded stock in McNairy County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the provisions of "An Act to encourage the raising of blooded stock in McNairy County," passed and approved March 25th, 1877, Chapter 99, shall apply to Humphreys County, and such immunities and privileges as are granted therein to the McNairy County Agricultural and Mechanical Society, are herein granted to the Humphreys County Stock and Fair Association.

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SEC. 2. *Be it further enacted*, That this Act shall take effect from and after its passage.

Passed March 21, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved, March 26, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CXLIII.

AN ACT to amend an Act entitled An Act to more cheaply collect the State, County or Municipal revenue.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an Act passed January 29th, 1879, be so amended as to except the municipal corporations of the cities of Columbia, Franklin and Murfreesboro from the provisions thereof.

SEC. 2. *Be it further enacted*, That this Act take effect from and after it passage the public welfare requiring it.

Passed March 21, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved, March 26, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER CXLIV.

AN ACT to authorize the Trustees of Bolivar Academy to erect a building for the use of said Academy, and to sell the Male Academy.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall be lawful for the Trustees of Bolivar Academy, in Monroe County, Tennessee, to purchase a building lot and to contract for and build a suitable house to be used as a male and female Academy, to be known as the Bolivar Academy, said house to be suitably situated in the town of Madisonville, upon a lot belonging to said Academy.

SEC. 2. *Be it further enacted*, That said Trustees are authorized to use a sufficient amount of the principal and interest of any funds now in their hands, belonging to said Academy, for the purposes aforesaid.

SEC. 3. *Be it further enacted*, That said Trustees are hereby authorized to sell and dispose of the building known as the Bolivar Male Academy, in said town, together with the lands and appurtenances, and manage and apply the proceeds as they are required by law to do with like funds in their hands.

SEC. 7. *Be it further enacted*, That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed March 21, 1879.

H. P. FOWLKES.
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved, March 26, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CXLV.

AN ACT to regulate liabilities of Hotel Keepers, and to prevent fraud or fraudulent practices upon or by them.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That whenever the proprietor or

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proprietors of any hotel or inn shall provide a safe in the office in such hotel or inn, or other convenient place, for the safe keeping of any money, jewels or ornaments, belonging to the guests of such hotel or inn, or for any samples of merchandise of any kind carried by drummers or commercial travelers, and shall notify the guests thereof by posting a notice (stating the fact that such safe or other convenient place in which money, jewels, ornaments or "samples" may be deposited) in the room or rooms occupied by such guests in a conspicuous manner, and if such guests shall neglect to deposit such money, jewels, ornaments or samples of merchandise in such safe or other convenient place, the proprietor or proprietors shall not be liable for any loss of such money, jewels, ornaments or samples of merchandise sustained by such guest, by theft or otherwise.

To provide safe.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 22, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved, March 26, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CXLVI.

AN ACT to enlarge the boundaries of the Town of Edgefield, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the boundaries of Town of Edgefield be so enlarged as to run as follows: Beginning at the corporation line, corner of Barry street and Lishey avenue, running thence with Lishey avenue to Bryant's avenue, thence with Bryant's avenue to Meridian street, thence with said Meridian street to the

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present corporation line, corner of Meridian and Barry streets, except the lands of Jno. B. McFerrin, on which he resides.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 22, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved, March 26, 1879.

ALBERT S. MARKS.
Governor.

CHAPTER CXLVII.

AN ACT to compensate Jno. V. Wright as Special Judge of the Ninth Judicial Circuit.

WHEREAS, Jno. V. Wright, of the County of Maury, being duly commissioned as Judge of the Circuit Court for the Circuit composed of the Counties of Williamson, Maury, Giles, Marshall and Lawrence, on the 27th day of February, 1879, to hold the Courts and perform the duties of Judge, the sickness of Hon. W. P. Martin, who had previously certified his inability from sickness to hold said Courts and perform said duties; and,

WHEREAS, The said Jno. V. Wright accepted said commission and office, and did perform all of the duties and held all of said Courts from the date of his commission until the — day of October, 1877, when said Martin died; and,

WHEREAS, The said Jno. V. Wright has never received any pay for his said services; and,

WHEREAS, In the opinion of this General Assembly, he is of right entitled to pay for said services, and the same should be paid; therefore,

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Be it enacted by the General Assembly of the State of Tennesses, That the Comptroller of the State be, and he is hereby, authorized and directed to draw his warrant on the Treasurer of the State for the sum of ($1400.00) fourteen hundred dollars, and deliver the same to the said Jno. V. Wright, or to some person by him authorized to have and receive the same.

Passed March 22, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved, March 26th, 1879.

ALBEBT S. MARKS,
Governor.

CHAPTER CXLVIII.

AN ACT to abolish the corporation of the Town of Pikeville, in Bledsoe County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the corporation of the Town of Pikeville, in Bledsoe County, be, and the same is, hereby abolished.

SEC. 2. *Be it further enacted,* That so much of an Act passed January 7, 1830, to incorporate the inhabitants of the Town of Washing and Pikeville, as has reference to the Town and inhabitants of Pikeville, and so much of Section 8 of an Act passed January 26, 1850, entitled an Act to incorporate the Philomethian Society, and for other purposes, as has reference to the Town of Pikeville, and all other laws and parts of laws that are in conflict with the provisions of this Act be, and the same are hereby repealed.

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SEC. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 22, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved, March 26, 1879.

ALBERT S. MARKS.
Governor.

CHAPTER CXLIX.

AN ACT to repeal an Act entitled "An Act to fund the past due bonds and coupons of the State, and to sustain the credit thereof," passed March 15, 1873.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* Than an Act entitled "An Act to fund the past due bonds and coupons of the State, and to sustain the credit thereof," passed the 15th day of March, 1873, be, and the same is, hereby repealed.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 22, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved, March 26, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER CL.

AN ACT to amend the Charter and diminish the limits of the Town of Ripley, in the County of Lauderdale.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Charter of the Town of Ripley, in the County of Lauderdale, be so amended that the limits and boundaries of said town, shall be as follows, to-wit: Beginning at a point one-fourth of a mile south from the center of the court house, in said town; thence west one-fourth of a mile; thence north one-half mile; thence east one-half mile; thence south one-half mile; thence west one-fourth of a mile to the beginning.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 22, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives..

Approved March 26, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CLI.

AN ACT to amend An Act to create a State Board of Health, etc., approved March 26, 1877.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Act approved March 26, 1877, entitled, "An Act to create a State Board of

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Health," etc., be and the same is hereby amended, as follows:

SEC. 2. That the State Board of Health be and they hereby empowered, to declare quarantine whenever in their judgment the welfare of the public require it, and to prescribe such rules and regulations as they may deem proper for the prevention of the introduction of yellow fever, cholera and other epidemic diseases into the State of Tennessee, and whenever the yellow fever, cholera, smallpox or other epidemic diseases appear in any locality within the State, and information thereof is brought to the knowledge of said State Board of Health, they shall prepare and carry into effect such rules and regulations as in their judgment will, with the least inconvenience to commerce and travel, prevent the spread of the disease, they shall select suitable localities for establishing quarantine stations, and may erect necessary temporary buildings for the disenfection of passengers, baggage, cargoes and other matters believed to convey the contagious principle of cholera, yellow fever, smallpox and other epidemic diseases and may enforce such transhipment of passengers as they may deem necessary, and shall assign to the charge of each station a competent physician and necessary assistants, who shall receive such compensation as the said Board of Health may deem reasonable and just, and the members of said Board shall be allowed a *per diem* compensation of not more than ten dollars, with traveling and other necessary expenses for each and every day while actively employed in the business of said Board.

Powers of Board of Health.

Quarantine.

SEC. 3. *Be it further enacted,* That any person or persons, who shall wilfully disregard or evade such quarantine as said State Board of Health may declare, or violate any rule or regulation they shall make in attempting to prevent the spread of any epidemic disease, shall be guilty of a misdemeanor, and upon conviction, shall be fined not less than fifty dollars, nor more than five hundred, or imprisoned in the county jail for a period of three months, one or both, at the discretion of the Court.

Breach quarantine.

SEC. 4. *Be it further enacted,* That for the purpose of enabling the State Board of Health to accomplish the end for which it was created, the sum of $3,000 per annum is hereby appropriated, which amount the Comptroller of the Treasury is hereby directed to issue his warrant for, or any part thereof, first having the same duly certified by said Board.

Appropriation.

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Governor to appoint additional members.

SEC. 5. *Be it further enacted,* That the Governor shall have power, and it is hereby made his duty, to appoint two additional members of said Board, connected with the commerce and transportation of the country.

SEC. 6. *Be it further enacted,* That all laws and parts of laws, coming in conflict with this Act, be and the same are hereby repealed.

SEC. 7. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 24, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 26, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CLII.

AN ACT to allow partial redemptions of real estate sold for taxes, and for the relief of tax-payers.

Coparcener may redeem part of land.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Quarterly Courts of the various counties shall have power upon the application of the owner, his, or her agent, or attorney, upon satisfactory reasons shown by affidavit to authorize the redemption of any piece or part of a lot, or tract of land, which has heretofore been sold to the Treasurer for State and county taxes due thereon; when the applicant is not the owner of the whole of the tract or lot of ground so sold, and the court will fix the value of the part so sought to be redeemed, and a certified copy of said order shall be authority for the action of the officers whose duty it is to receive the taxes due thereon, and any person paying the amount of taxes due, according to the val-

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uation thus fixed and determined, shall be entitled to a certificate of redemption and shall hold the property so redeemed, free from any lien of the State or county, for taxes due on the remaining portion of the lot or tract of land.

SEC. 2. *Be it further enacted,* That the Quarterly Courts of the several counties, be and they are hereby further authorized and empowered, upon application of the owner, his, or her agent or attorney, and for good reason shown by affidavit to reduce the assessment, and to remit interest and penalties, on a lot, or tract, or portion of any lot or tract of land, heretofore sold for State and county taxes, to the Treasurer of the State, and a copy of the order of the court duly certified, shall be furnished to the applicant and the officers, whose duty it is to receive said taxes, shall collect the same upon the valuations and terms so fixed, and give receipt in full for taxes due and unpaid.

Quarterly Court may reduce assessmt's and remit penalties.

SEC. 3 *Be it further enacted,* That the Clerk of the County Court shall receive for his service under this Act, a fee of seventy-five cents, in each case to be paid by the applicant.

Clerk's fee.

SEC. 4. *Be it further enacted,* That the action of the quarterly term of the County Courts, under the First and Second Sections of this Act, shall be subject to the approval or disapproval of the Comptroller so far as State tax is concerned, and unless he approve, no certificate of redemption shall be issued.

Comptroller's assent.

SEC. 5. *Be it further enacted,* That all laws and parts of laws in confliction with this Act, be and they are hereby repealed.

SEC, 6. *Be it further enacted,* That the Clerk of the County Court shall notify the Clerk of the Circuit Court of all partial redemptions, of tracts or lots of land, and the Clerk of the Circuit Court shall make a note of it upon his minutes.

Report to Circuit Court.

Passed March 24, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 26, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER CLIII.

AN ACT to give Justices of the Peace original jurisdiction over all misdemeanors and to regulate appeals in misdemeanors from Justices of the Peace.

Original jurisdiction J. P.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That hereafter all criminal offences, known as misdemeanors or the penalty, is a fine of not more than fifty dollars, shall be tried in the first instance by the Justices of the Peace and the same fines shall be ordered and enforced and enforced by said Justices as are now ordered by the various Courts of Record of this State, for these offences.

Appeals.

SEC. 2. *Be it further enacted,* When an appeal is prayed from the finding of the Justice of the Peace, the defendant shall give bond and security for his appearance at the next term of the Circuit or Criminal Courts, where an appeal is taken.

Code Sections repealed.

SEC. 3. *Be it further enacted,* That Sections 4994, 4995, 4996, 4997, 4998, 4999, 5000, 5001, 5011, of Thompson & Steger's edition of the Code, be and are hereby repealed.

Security for costs.

SEC. 4. *Be it further enacted,* That where defendant accepts the judgment of the court, he shall be allowed to give good and sufficient security for the fine, all cost to be due and payable in thirty days after the date of trial.

SEC. 5. *Be it further enacted,* That if the defendant fail to pay all the fine and cost at the expiration of the thirty days, the Justice of the Peace shall issue execution for the same.

SEC. 6. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 24, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 26, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER CLIV.

AN ACT to provide for the organization of corporations for the purpose of constructing sewers and drains, and to amend an Act passed March 19, 1875, entitled, "An Act to provide for the organization of corporations."

SECTION. 1 *Be it enacted by the General Assembly of the State of Tennessee*, That Charters may be granted to any association of individuals for sewerage and drainage purposes.

SEC. 2. *Be it further enacted*, That Section Five of an Act passed March 19, 1875, approved March 23, 1875, entitled, "An Act to provide for the organization of corporations" shall apply to, and govern all corporations, chartered and organized under this Act, in the same manner, that it now applies to and governs corporations chartered for purposes of individual profit, under said Act of March 19, 1875. Charter Act amended.

SEC. 3. *Be it further enacted*, That the form of charter for a sewer and drainage company, shall be as follows: Form of charter "State of Tennessee—Charter of Incorporation: Be it known that (here insert the names of five or more persons not under twenty-one years of age) are hereby constituted a body politic and corporate by the name and style of (here insert the name of the company). The general power, etc., of said corporation are as declared in Section Five of the said Act, passed March 19, 1875; approved March 23, 1875, entitled, "An Act to provide for the organization of corporations. The business of said company shall be to build, establish and construct sewers and drains in or near the town, city, village or taxing district, of (here insert the name). To enable the company to establish such sewers and drains, they are hereby authorized and empowered to lay down and construct sewer pipes or ways and drains, and extend conductors through the streets, lands and alleys of said town, city, village or taxing district, in such manner however, as to produce the least possible inconvenience to the town, city, village or taxing district or its inhabitants, and to take up pavements and side-walks; *Provided*, they shall repair the same with the least possible delay, and in the manner provided by the ordinances and regulations of said town, city, village or taxing district. The works

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and operations of said company shall be so constructed and managed that no unnecessary annoyance shall accrue thereupon to the health and comfort of the inhabitants of said town; and nothing in this Act shall be so construed as to absolve the company, its officers or agents, from any legal proceedings; to restrain or abate any nuisance arising from such works or operations. If any person or persons shall injure or destroy any portion of the sewers, pipes, ways or drains, or other property, belonging to said company, or shall wilfully open a communication into the same or the conductors thereto, such person or persons shall be liable for all damages sustained by such proceedings and also to a penalty, not exceeding five hundred dollars and not less than three hundred dollars, upon conviction before any Justice of the Peace of the county, where said company is located.

How obtained.

SEC. 4. *Be it further enacted,* That the charter of the companies, provided for by this Act, shall be obtained in the manner pointed out by Section 26, of an Act passed March 19, 1875, approved March 23, 1875, entitled, "An Act to provide for the organization of corporations," which said Section 26, is hereby made applicable to all corporations authorized to be organized under this Act.

Not exclusive of corporation rights.

SEC. 5. *Be it further enacted,* That this Act shall not be so construed as conferring upon any company or corporation organized under it, any rights or privileges which shall in any way or manner, impair or embarrass the right of any town, city, village or taxing district, in or near which said company or companies, may be located, to construct and establish a general system of sewerage for the benefit of the whole of said town, city, village or taxing district.

SEC. 6. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 19, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Represntatives.

Approved March 26, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER CLV.

AN ACT to provide a more efficient and salutary method for the appointment of State Cadets in the University of Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* In order to secure more regularity in the appointment of State Cadets in the University of Tennessee, by Senators and Representatives as now provided by law, and to secure the greater usefulness of their appointments to the State at large, it shall be the duty of the State Superintendent, in the month of May, in each year, to issue notice to the County and City Superintendents of Schools, throughout the State, requiring them to hold public examinations of candidates for such appointment in their respective counties or cities, and giving full and uniform directions with reference to the subject and method of such examinations.

State Superintendent's duty.

Public examinations

SEC. 2. It shall be the duty of the County and City Superintendents, on the receipt of such directions, to give due public notice thereof, for not less than ten days, and in the month of June he shall proceed to hold such examination or examinations as may be necessary in his county or city, engaging if necessary the assistance of suitable persons, but without cost to the State; and on the conclusion of such examination, or within ten days thereafter, he shall transmit a list of the qualified candidates in their order of merit, as determined by the examinations, to the State Superintendent of Public Instruction, who shall keep a roll of the names by counties and cities in his office.

County and City Superintendent's duty.

SEC. 3. It shall be the duty of the State Superintendent, on the receipt of such list from any County or City Superintendent, to communicate the same to the Senators or representatives thereof, with the number of vacancies in such appointments actually existing, for the said county or city, which shall be ascertained from the roll of the University, and the said Senators and Representatives may then proceed to make their appointments from the said lists, notifying the same to the State Superintendent, who shall keep a roll thereof in his office and

Examination list.

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communicate the same to the President of the Universityty.

Members Legislature to designate Cadet.

SEC. 4. If in any county or city, the list of qualified candidates should not be sufficient for the appointment, as now authorized by law, any Senator or Representative may make his appointment from any other county or city in which there may be a surplus of qualified candidates, after the Senator and Representative or Senators and Representatives thereof, shall have completed their appointments.

President University to fill vacancies.

SEC. 5. If by the 10th day of August, there shall still remain vacancies unfilled by Senators or Representatives the President of the University shall be authorized to fill the same from the list of qualified candidates, up to the number authorized by law; *Provided*, That such appointments by the President shall be for one year only, and that in making the same, preference shall be given to counties and cities whose quota has not been filled, and in the several counties and cities to those persons who stood highest in the order of merit.

Hold examination to fill vacancy.

SEC. 6. In the event of a vacancy occurring in any of the aforesaid appointments, in any county or city in which the list of qualified candidates has been exhausted, it shall be the duty of the County or City Superintendent, on the written request of any Senator or Representative of the said county or city, to hold such examination as is herein provided for such applicant or applicants as may be recommended by the said Senator or Representative, and to proceed therewith in the form and manner herein provided; *Provided*, that nothing in this bill shall be construed to limit or abridge the right of appointment by Senators or Representatives, as now authorized by law.

SEC. 7. This Act shall be in force from and after its passage, the public interest requiring it.

Passed March 24, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 26, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER CLVI.

AN ACT for the benefit of the people of Hickman County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the State revenue collected and to be collected in the County of Hickman, for the years 1878 and 1879, be and the same are hereby remitted to the people of that county, for the purpose of enabling them to complete the Nashville & Tuscaloosa Railroad to Centerville, and that this Act take effect from and after its passage.

Remits tax to build railroad.

Passed March 24, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 26, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CLVII.

AN ACT to lessen the costs of Criminal prosecutions.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Clerks of the Circuit and Criminal Courts of this State, be and they are hereby required, to designate on the dockets of their several courts, the days on which the criminal cases therein, will be called for trial, subject to the direction and control of the Judges of said Courts, and subpœnas for witnesses shall require their attendance only upon the day designated for the trial of the particular case, in which they are summoned.

Cases set for trial on particular days.

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Witnesses.

SEC. 2. *Be it further enacted,* That if for any reason the case or cases, so set for trial, shall not be tried on the day fixed, it shall be the duty of the Court by special order to designate some other day on which the case will be tried, and in the absence of such order, it shall not be necessary for witnesses to attend said Court, and if they shall attend without such order, it shall be at their own option; *Provided,* that no fees shall be allowed witnesses for attendances on any other day or days, than those fixed in the subpœna or in said orders of Court; and *Provided further,* that not more than three day's attendance shall be taxed on any one week, in favor of any one witness in one case, excepting witnesses attending from other counties, unless required to remain more than three days by order of the Court.

Passed March 24, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 26, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CLVIII.

AN ACT to repeal the Act incorporating the Town of Chapel Hill, in the County of Marshall, passed January 17th, 1850.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That an Act to incorporate the Town of Chapel Hill, in the County of Marshall, passed January 17th, 1850, be and the same is hereby repealed, so far as the same relates to the Town of Chapel Hill, and that hereafter the charter of incorporation of said Town be held for naught.

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SEC. 2. *Be it further enacted,* That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed March 25, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 26, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CLIX.

AN ACT to run and re-mark the County Line between Hawkins and Sullivan Counties.

WHEREAS, The County Line, between the Counties of Hawkins and Sullivan, from the top of the Chimney Top Mountain to the mouth of the north fork of the Holston River, is uncertain, and the marks obliterated so that the same is about to become a source of much litigation between the citizens owning lands along said line; Therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the County Surveyors of the County of Sullivan and Hawkins, together with David Sevier of Sullivan County, and J. E. Denney, Esq., of Hawkins County, are hereby appointed Commissioners, to re-run and re-mark said County Line, between the top of said Chimney Top Mountain and the mouth of the north fork of Holston River. Commissioners.

SEC. 2. *Be it further enacted,* That said Commissioners shall employ two chain bearers who, together with said Commissioners, shall take an oath before some Justice of the Peace for either Sullivan or Hawkins County, that they will perform the duties of said Commission honestly, faithfully and impartially, said Commissioners shall Oath, &c.

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perform the duty herein designated, within six months after the passage of this Act, and shall make two plats of survey, and accompany them with such report as they may deem necessary to explain the survey, that they shall re-mark said line on such standing timber, either as fore and aft marks or side lines, as they may deem necessary to enable said line to be plainly and fully known, said plats of survey shall be by said Commissioners, signed, and one copy filed in the Register's offices of said Sullivan and Hawkins Counties, which shall be registered by the respective Registers of said counties, said Register's fees to be paid by the respective counties.

Survey copies filed.

SEC. 3. *Be it further enacted*, That said Commissioners shall be paid for their services two dollars per day, for each day employed in and about said business, and that the chain bearers be paid two dollars per day; that the Counties of Sullivan and Hawkins pay equally the expenses of said survey; that the County Courts of Sullivan and Hawkins Counties shall, at the first quarterly term after the Commissioners have completed said survey, which shall be evidence by filing the plot as required in the Second Section of this Act, in the Register's office of said counties, make an order on the Trustee of the respective counties to pay said Commissioners and chain bearers, the amounts so found by said courts to be due them respectively.

Compensation.

SEC. 4. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 25, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 26, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER CLX.

AN ACT to define and enforce the duties of Common Carriers in certain cases in this State.

SECTION 1. *Be it enacted by the General Assemby of the State of Tennessee,* That it shall be unlawful for any railroad company, steamboat company, or other common carrier, doing business in this State, to become a party to any combination or monopoly, for the purpose of controlling the compression of cotton in bales, in the interest of special individuals, firms or companies. Cotton compress

SEC. 2. *Be it further enacted,* That all railroad companies, steamboat owners, and other common carriers, doing business in this State, be and they are hereby required to receive all compressed cotton and transport the same as such, at regular schedule rates of freight, without discrimination as to individuals firms, or compresses offering the same for shipment.

SEC. 3. *Be it further enacted,* That any violation of the provisions of this Act shall be deemed a misdemeanor, and shall be punishable by a fine of not less than one hundred dollars, at the discretion of the Court.

SEC. 4. *Be it further enacted,* That all laws and parts of laws, in conflict with the provisions of this Act, be and the same are hereby repealed, and this Act take effect from and after its passage, the public welfare requiring it.

Passed March 25, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 26, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER CLXI.

AN ACT to change the lines between the Counties of Hawkins and Hancock Counties.

SECTION. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the County Line between the Counties of Hawkins and Hancock, be changed, as follows: Beginning at William J. Davis', and running east with the top of Pine Ridge to Turkey Creek; thence north 45° east to the Hancock County Line.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 25, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 26, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CLXII.

AN ACT to more effectually secure the collection of tax on privileges

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That from and after the passage of this Act, it shall be the duty of the Justices of the Peace of the several counties in this State, to make to the Chairmen of the several County Courts, an enumeration of the number of persons engaged in occupations which

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are deemed privileges, and to be taxed and not done or pursued without a license, as follows:

Justices list of privileges.

Artist and photographer, architects, brewers, brokers, civil engineers, claim agents, dealers in county certificates and warrants, dealers in securities, dental surgeons, keepers of fruit stands, billiard tables, Jenny Lind tables, pool tables, tenpin alleys, bagatelle tables, keepers of livery stables and hotels, liquor dealers, plumbers and gas-fitters, race tracks, dealers in stocks and bonds, shavers of notes, peddlers of sewing machines, or persons selling them by samples, skating rinks, steam ferries, cigar stands, theaters, variety establishments, drays, hacks, omnibuses, express wagons and carts, transfer wagons and all wheeled vehicles run for pay or profit, and also how many circuses, menageries, side shows, Gipsie fortune-tellers connected with a circus or menagarie, slight-of-hand or legerdemain shows, and all other exhibitions for profit, have exhibited in their ward or district, during the quarter preceding the meeting of the Quarterly Court.

Chairman or Judge to forward list to Comptroller.

SEC. 2. *Be it further enacted*, That it shall be the duty of each Chairman or Judge of a County Court, to make out himself, from the list furnished him by the Justices of the Peace of his County, an enumeration of the persons engaged in occupations which are deemed privileges and subject to a privilege tax, which he shall forward to the Comptroller of the State, with his official signature and seal, within fifteen days after the adjournment of each session of Quarterly Court.

On failure to report moved against.

SEC. 3. *Be it further enacted*, That if any Chairman or Judge of the County Court, fails to make the report provided for in the 2nd Section of this Act, the Comptroller shall notify him of such failure, and if said Chairman or Judge still fails or refuses to make said report, the Comptroller shall direct the Attorney General of the Judicial Circuit in which the Chairman or Judge may reside, to move against said Chairman or Judge, and if convicted, he shall be removed from office.

Failure of Justice.

SEC. 4. *Be it further enacted*, That if any Justice of the Peace shall fail to perform the duties required of him in the First Section of this Act, he shall be deemed guilty of malfeasance and subject to removal.

SEC. 5. *Be it further enacted*, That the Comptroller is hereby directed to send each Justice of the Peace in this State, a digest of the taxes on privileges.

Constable's duty

SEC. 6. *Be it further enacted*, That it shall be the duty of every Constable of a district in this State, to

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demand to see the receipt for State and County privilege tax of every manager of a circus, menagerie, side show, slight-of-hand or legerdemain or any other exhibition for profit, of persons selling patent rights and of every peddler of any article whatever, whether on foot, in vehicles, or on horseback; and if the tax receipt is not produced, said Constable shall collect the State and County privilege tax, and shall within one week after such collection notify the County Court Clerk by mail or otherwise, that he has collected such, and so much tax and pay the same to said Clerk within one month after such collection, and if said Constable fail to turn said tax over to the County Court Clerk, he shall be proceeded against and his office declared vacant.

Liability.

SEC. 7. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 24, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 26, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CLXIII.

AN ACT to relieve Augustin Gattinger from liability on the bond of James E. Rust, late Treasurer of the State of Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Augustin Gattinger be relieved from all liability upon the bond of James E. Rust, late Treasurer of the State of Tennessee, executed November 24, 1868.

Passed March 24, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 26, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER CLXIV.

AN ACT to repeal Sections 5, 6 and 7 of an Act passed February 1st, 1848, and Section 51 of an Act passed February 17th, 1870, incorporating the Town of Purdy, in the County of McNairy.

SECTION 1. *Be it enacted by the General Assemby of the State of Tennessee,* That Sections 5, 6 and 7 of an Act passed February 1st, 1848, incorporating the Town of Purdy, in the County of McNairy, be and the same are hereby repealed.

SEC. 2. *Be it further enacted,* That Section 51 of an Act passed February 17th, 1870, incorporating the Town of Purdy, in the County of McNairy, be and the same is hereby repealed.

SEC. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 24, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 26, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CLXV.

AN ACT to repeal an Act, passed on the 14th day of June, 1870, entitled, "An Act to repeal an Act, passed on the 6th day of November, 1837, declaring Wolf River navigable, and to amend said Act of the 6th of November, 1837.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That an Act passed on the 14th day

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of June, 1870, entitled, "An Act to repeal an Act, passed on the 6th day of November, 1837, declaring Wolf River navigable, be and the same is hereby repealed.

SEC. 2. *Be it further enacted,* That said Act of the 6th of November, 1837, be so amended as to read Wolf River is hereby declared navigable for flatboats and rafts, from its mouth to L. C. Wright's mill, in Fentress County; *Provided,* any person may erect dams, locks or cut-races, for mills or any other manufacturing establishments; *Provided,* the same does not in any way obstruct its navigation, and the passage of fish, up and down said River.

SEC. 3. *Be it further enacted,* That all laws or parts of laws, in conflict with this Act, be and the same is hereby repealed; and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 24, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives
J. R. NEAL,
Speaker of the Senate.

Approved March 26, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CLXVI.

AN ACT to prevent the sale of Cotton between sunset and sunrise.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall not hereafter be lawful in this State to buy or sell, barter or exchange, or receive on deposit, any cotton in the seed, or ginned, but not baled, between the hours of sunset of any one day, and sunrise of another.

SEC. 2. *Be it further enacted,* That any merchant or other person violating the first Section of this Act shall be guilty of a misdemeanor, and liable to indictment or presentment, before any competent tribunal, and, upon

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conviction, shall be fined not less than ten nor more than fifty dollars, and imprisoned at the discretion of the Court; and any person who may give information of such violation, and furnish satisfactory proof of the same, shall be entitled to one-half the amount of said fine.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 24, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 26, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CLXVII.

AN ACT to render more safe travel on Turnpike roads.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That all Turnpike Companies that shall hereafter place substantial barriers four feet high at dangerous places on their roads, when the fill or cut shall be three feet or more, shall be required at such places to have the grade of their road only twenty feet in width; *Provided*, no Turnpike Company shall have the benefit of this Act that charges toll for persons going to or returning from mill, church, or elections.

SEC. 9. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 24, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 26, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER CLXVIII.

AN ACT to amend the Charter of Colliersville.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 38, of an Act passed February 17, 1870, entitled, An Act to incorporate the town of Colliersville, in the County of Shelby, etc., be and is hereby so amended, as to strike out all that part of said Section following the words, "laws and ordinances of said town."

SEC. 2. *Be it further enacted*, That the Mayor and Aldermen of the Town of Colliersville, shall have power to appropriate money; (*Provided*, that the amount so appropriated shall not exceed at any time an outstanding indebtedness of more than five hundred dollars,) and provide for the debts and expenses of the Town; to prevent and remove nuisances; to open, alter, abolish, widen, extend, grade, establish, improve, preserve and keep in good repair, the streets and sidewalks of said Town; to establish patrols and watches; to regulate and suppress all disorderly houses, and to provide for the arrest and confinement until trial of all vagrants, rioters or disorderly persons, within the limits of said Town; to impose fines, forfeitures and penalties, for the breach or violation of any ordinance or by-law, and to provide for their recovevery; and to pass all other laws and ordinances, which they may deem necessary for the benefit, good order and health of said town; to pass all by-laws and ordinances necessary and proper to enforce the powers granted, not inconsistent with the Constitution and laws of the United States or of the State of Tennessee.

Powers Mayor and Aldermen.

SEC. 3. *Be it further enacted*, That in all cases when any person violating any by-law or ordinance of said Corporation of Colliersville fails or refuses to pay or secure, any fine or costs that may be adjudged against him or them, the persons so offending may be imprisoned for any time not exceeding ten days in the discretion of the Recorder, and such persons shall be made to work on the streets, or any other work under the supervision of the Mayor and Aldermen, not exceeding ten hours each day, Sundays excepted; and for such work shall be allowed fifty cents per day and board, until such cost and fines

Violators of ordinances made to work on streets.

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are paid, which work shall be superintended by the Town Constable of said Town.

SEC. 4. *Be it further enacted*, That all offenders against the ordinances of said Town, shall be tried by the Recorder, or Mayor in his absence, who shall have power to inflict the penalties provided for by the ordinances of said Town. Recorder to try offenders.

SEC. 5. *Be it further enacted*, That the Mayor shall act as Chairman of the Board of Aldermen, and in his absence in all cases, the Aldermen shall choose one of their number to act as Mayor pro tem; when at any meeting of the Board of Mayor and Aldermen the vote shall be equally divided on any subject, the Mayor shall give the casting vote.

SEC. 6. *Be it further enacted*, That no person shall be eligible to the office of ——— or Alderman, who is not a bonafide resident of the town at the time of the election.

SEC. 7. *Be it further enacted*, That a general election for officers of said Town shall be held on the first Saturday of April in each and every year, and said officers shall hold their offices for one year, and until their successors are elected and qualified. Election of Officers.

SEC. 8. *Be it further enacted*, That the Town Constable of said Town of Colliersville shall have full power and authority to arrest any person or persons for any violation of the by-laws or ordinances of said corporation, and that this authority shall extend to any and all parts of the County of Shelby; he shall have full power and authority to arrest any person or persons charged with a violation of the ordinances of said Town with or without a warrant, and bring them before the Recorder to answer the charges; he shall also perform such other duties as may be provided by ordinance; *Provided*, the said Town Constable shall have no authority to make arrests outside of said corporation without a warrant. Town Constable's powers and duties.

SEC. 9. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 24, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 27, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER CLXIX.

AN ACT to prevent fraud in the sale of butter and cheese.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That whoever manufactures, sells or offers for sale, or causes the same to be done, any substance purporting to be butter or cheese, which substance is not wholly from pure cream or pure milk, unless the same be manufactured under its true and appropriate name, and unless each package, roll or parcel of such substance, and each vessel containing one or more packages of such substance, have distinctly and durably printed, stamped or marked thereon, the true and appropriate name of such substance, in ordinary bold-faced capital letters, not less than five-lines pica, shall be punished as provided in section 3 of this Act.

SEC. 2. *Be it further enacted*, That whoever shall sell any such substance as is mentioned in section 1 of this Act to consumers, or cause the same to be done, without delivering with each package, roll or parcel so sold, a label on which is plainly and legibly printed, in Roman letters, the true and appropriate name of such substance, shall be punished as is provided in Section 3 of this Act.

SEC. 3. *Be it further enacted*, That whoever knowingly violates Section 2 of this Act, shall be fined any sum not less than ten nor more than three hundred dollars, or imprisoned in the county jail not more than ninety nor less than ten days, or both, at the discretion of the Court; *Provided*, That nothing contained in this Act shall be construed to prevent the use of skim milk, salt or rennet, or harmless coloring matter in the manufacture of butter and cheese.

SEC. 4. *Be it further enacted*, That this Act shall take effect and be in force from and after its passage.

Passed March 24th, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 26th, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER CLXX.

AN ACT to provide for two additional Notaries Public for Weakley County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the County Court of Weakley County is hereby authorized to appoint two additional Notaries Public for said county, one of which shall reside in the Town of Dresden, and the other in the Town of Gleason, with all the powers and emoluments of other Notaries Public in this State.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 24th, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 26th, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CLXXI.

AN ACT to amend the homestead law, by amending Sections 2110*a*, 2114*a* and 2116*a* of the Revised Code.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 2110*a* of the revised Code, be so amended as to read, "a homestead or real estate in the possession of, or belonging to, each of a family and the improvements thereon, if any, to the value of, in all, one thousand dollars, shall be exempt from execution or attachment or sale under legal process, and each head of a family owning real estate shall have the right to elect where the homestead or said exemption shall be set apart, whether living on the same or not.

Rights to elect homestead exemption.

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SEC. 2. *Be it further enacted*, That Section 2114*a* of the revised Code be so amended as to read, "a homestead or real estate in the possession of, or belonging to, each head of a family, and the improvements, if any thereon, to the value of, in all, one thousand dollars, shall be exempt from sale under legal process during the life of such head of a family—and which shall inure to the benefit of his widow and children, and shall be exempt from sale in any way at the instance of any creditor or creditors; *Provided*, That said real estate may be sold by the joint consent of husband and wife, where that relation exists, to be evidenced by conveyance duly executed as required by law for married women; and, *Provided further*, That such real estate shall not be exempt from sale for the payment of public taxes legally assessed upon it, or from sale for the satisfaction of any debt or liability contracted for its purchase or legally incurred for improvements made thereon."

SEC. 3. *Be it further enacted*, That Section 2116*a* of the revised Code be so amended as to read, "whenever real estate of such head of a family is levied on by execution or attachment, his or her homestead shall be set apart in the following manner: The officer executing the writs shall summon three disinterested freeholders, not connected with the parties, and administer to them an oath to set apart said homestead out of the real estate so levied on; said freeholders shall examine the premises, and upon oath set apart said homestead, including the mansion and outhouses, if so desired by the head of a family, and set out in writing the boundaries thereof and certify that such is the homestead set apart by them, and deliver the same to the debtor, and remainder only of such lands so levied on or attached shall be subject to sale, which fact shall be returned on the execution.

How set apart.

SEC. 4. *Be it further enacted*, That all laws and parts of laws in conflict with this Act, be, and the same are, hereby repealed.

SEC. 5. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 24th, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 26th, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER CLXXII.

AN ACT to repeal the charter of the Town of New Middleton, in Smith County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That an Act entitled, "An Act, Chapter 135, Sections 1 and 2, passed May 25th, 1866, incorporating the Town of New Middleton, in Smith County," and Chapter 39, Sections 30 to 34, inclusive, amendatory thereof, be, and the same is hereby repealed.

SEC. 7. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 24th, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 26th, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CLXXIII.

AN ACT to repeal an Act entitled, "An Act to establish a special Court at Ducktown, Polk County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That an Act passed by the General Assembly of the State of Tennessee on the 25th day of March, 1873, to establish a Common Law Court at Ducktown, for the Seventh, Eighth and Tenth Civil Districts of Polk County, Tennessee, be, and the same is hereby repealed, and the said Common Law Court for

Court abolished

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said civil districts aforesaid be forever after the next term of said court abolished.

Transfer to Circuit Court.

SEC. 2. *Be it further enacted*, That all causes, rules and motions that may be pending at the rise of the next term of said court, either of a civil or criminal nature, shall be transferred by the clerk of said court, including all books, records and papers belonging to said court, from that Court to the Circuit Court of said Polk County, to be tried, heard and determined by the said Circuit Court as if the same had been brought and made originally in said Circuit Court of Polk County.

Recognizance.

SEC. 3. *Be it further enacted*, That at the next term of said Common Law Court, to be holden at Ducktown, for the civil districts aforesaid, all bonds and recognizance for the appearance of defendants in criminal causes at said Ducktown Common Law Court, shall be taken by said Court requiring the defendants to appear before the Judge who may hold the Circuit Court at the Town of Benton for said Polk County, at the first term thereof after the rise of the next term of said Court of Ducktown, and shall have the same validity as if the defendants had been indicted or presented in the Circuit Court at Benton and had entered into bond or recognizance at said Benton Circuit Court.

Clerk's duty.

SEC. 4. *Be it further enacted*, That as soon as the rise of the next term of said Court at Ducktown, the Clerk of the Circuit Court at Benton, the Clerk of the Circuit of said Polk County, shall issue all process, both civil and criminal, growing out of the Court at Ducktown, making the same returnable to the first term of the Circuit Court to be held at Benton for Polk County, except writs of *fieri facias* which shall be returnable to the second term of said Court, to be held at Benton for said Polk County.

SEC. 5. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 24th, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 26th, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER CLXXIV.

AN ACT directory as to the sale of lands decreed to be sold by any of the inferior Courts in Tennessee wherein the causes have appealed to the Supreme Court of the State, and the decree for sale confirmed.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That in all cases where land is decreed for sale by any of the inferior Courts of the State, and such cases are appealed to the Supreme Court and the decision of the inferior Court affirmed, the case shall be sent back to the inferior Court, and the Clerk of said inferior Court shall be ordered by the Supreme Court to execute the order of sale, and report at the next term of such inferior Court, and it shall be the duty of the Clerk or Commissioner of said inferior Court to pay over to the Clerk of the Supreme Court, all costs accruing in such case or cases in said Supreme Court.

Sale confirmed by Supreme C'rt to be made by Clerk Court below.

SEC. 2. *Be it further enacted,* That it shall be the duty of the Clerk, within thirty days after the adjournment of the term at which the decree of sale is affirmed, to forward to the Clerk of the inferior Court from which the appeal was taken, a certified copy of the order of sale, together with all other orders and decrees rendered or made by the Supreme Court in said causes, accompanied by his certificate and seal of office, as to the correctness of the same, which said order or orders and decrees, when received by the Clerk of the inferior Court, shall be filed with the original papers in the cause in said inferior Court, the Clerk marking upon them the date when filed, and at the next or any succeeding term of the Court thereof, the Judge or Chancellor holding the same may, in his discretion, order said order or orders and decrees, with all the endorsements thereon, to be perpetuated in said Court by spreading them in full on the minutes of said Superior Court.

Supreme Court Clerk to certify.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 24th, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 26th, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER CLXXV.

AN ACT to repeal an Act entitled, "An Act to incorporate the Town of Maryville, in the County of Blount," passed December 16th, 1837, and to repeal the Charter and abolish the Incorporation of the Town of Maryville, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an Act entitled, "An Act to incorporate the inhabitants of the Town of Maryville, in the County of Blount," passed December 16th, 1837, be and the same is hereby repealed.

SEC. 2. *Be it further enacted*, That the Charter of Incorporation of the said Town of Maryville, in Blount County, and all the corporate rights, powers, privileges, and immunities of the inhabitants of said Town, under and by virtue of the said Act of December 16th, 1837, and all other Acts of the Legislature, and especially under and by virtue of the Act passed January 7th, 1850, entitled, "An Act for the incorporation of the citizens of any town, city or village in the State of Tennessee, who may desire it," be and and the same are hereby repealed, and the incorporation of said town abolished.

Charter abolished.

SEC. 3. *Be it further enacted*, That the Mayor and Board of Aldermen of said Town shall, within ten days after the passage of this Act, hold a meeting, and ascertain the amount of indebtedness of said Corporation, and the amount of the unpaid collectable taxes heretofore assessed, and other assets, and if the said taxes and assets are not sufficient to pay the debts, they shall at once assess a tax on the citizens and property of citizens and owners of property in said Corporation sufficient to discharge the indebtedness, whatever the same may be and when said tax is so assessed, then the Recorder of said Town shall make out proper lists of the same, and deliver such lists to the County Trustee of Blount County for collection, and said County Trustee shall execute bond before the Clerk of the County Court of Blount County, payable to the State of Tennessee, with good personal security, in a penalty of double the amount of such taxes, conditioned faithfully to perform his duties, and to collect and pay over such taxes to the *bona fide* creditors of said Corporation, and to the end that the Trustee may be informed as to who the creditors are, it

Provide for debts.

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shall be the duty of said Mayor and Board of Aldermen to furnish him with a list of their names, and the amount due each.

County Trustee's powers.

SEC. 4. *Be it further enacted,* That the Trustee of Blount County shall have the same powers and the same authority to collect said taxes that he now has with reference to the collection of State and County taxes and he shall be entitled to the same compensation.

Records to be filed.

SEC. 5. *Be it further enacted,* That the Mayor and other offiers of said Town shall, within thirty days after the passage of this Act, deposit all the books, records, and papers belonging to their respective offices with the Clerk of the County Court of said County for safe keeping, and said Clerk shall keep said books, records, and papers as other County records are kept.

SEC. 6. *Be it further enacted,* That this Act take effect fifteen days from and after its passage, the public welfare requiring it.

Passed March 24, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 26, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CLXXVI.

AN ACT to abolish the Charter of Incorporation of the Town of Woodbury, in Cannon County, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That so much of an Act passed the 30th day of January, 1844, as incorporates the Town of Woodbury, in Cannon County, Tennessee, is hereby repealed, together with all Acts amending the same, and

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the charter and incorporation of said Town is hereby abolished.

SEC. 2. *Be it further enacted*, That all property, money, debts or assets, possessed by, or owing to, said corporation shall be subject to the payment of its debts, *pro rata* among its creditors, and any creditor may file his bill in the Chancery Court at Woodbury, on behalf of himself and all other creditors, against all persons possessing or controlling any property or assets belonging to said corporation, and also against persons indebted to said corporation, and persons against whom taxes have been assessed and are now due and are unpaid, and the Chancery Court aforesaid shall have full power and authority to make all proper orders and decrees to secure the assets of said corporation, and to apply the same in discharge of its liabilities in accordance with the practice of Courts of Chancery in such cases.

Debts.

SEC. 3. *Be it further enacted*, That nothing herein shall operate to invalidate any existing contract.

SEC. 4. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 24, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 26, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CLXXVII.

AN ACT to amend an Act passed February 29th, 1856, entitled, an Act to Charter Manchester College, in Coffee County, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 1 of said Act be so

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amended as to provide that the Trustees of Manchester College, shall have power, and they are hereby authorized, either at public or private sale, to sell said College and the lot or lots belonging to the same, with all the rights, appurtenances and hereditaments, and when the same is sold, the deed of conveyance thereto, shall be in the name of the Trustees of Manchester College, but shall be executed by the President alone of the Board of Trustees, by his signing and acknowledging the same officially, as deeds are now signed and acknowledged, and the deed shall be registered and have the same force and effect as other deeds of conveyance to land have by existing law.

To sell College and convey.

SEC. 2. *Be it further enacted*, That the purchaser of said College as prescribed in the preceding Section, shall be vested with and may exercise, all the rights, privileges and franchises, which now belong to said College as a corporation, and shall be entitled to the protection of the Act of 1877, Chapter 23, Section 1, page 37.

Purchaser vested with corporate rights.

SEC. 3. *Be it further enacted*, That the number of said Trustees necessary to constitute a quorum for the sale herein authorized, shall be the same as prescribed in Section 4 of said Act, for the transaction of other business, that is, any five of the Trustees who are stockholders.

Five Trustees to sell.

SEC. 4. *Be it further enacted*, That the sale and conveyance herein authorized, shall vest the purchaser with an absolute and fee simple title to said property, and the proceeds of sale shall be apportioned among the several stockholders in proportion to the amount of stock subscribed or held by them respectively; *Provided*, that no apportionment shall be made upon any stock which has been subscribed but not paid up.

Vesting title and dividing proceeds.

SEC. 5. *Be it further enacted*, That, the public welfare requiring it, this Act take effect from and after its passage.

Passed March 24, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 26, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER CLXXVIII.

AN ACT to change the line between the Counties of Coffee and Franklin.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the line between the Counties of Coffee and Franklin, be so changed as to detach from Franklin and attach to Coffee, the territory included in the following boundaries, to-wit: Beginning on a post-oak on the north side of the Tullahoma and Hillsboro Road, at the point at which the present line between the Counties of Coffee and Franklin, crosses the south boundary line of the lands of A. Kocsis; thence east with the south boundary line of A. Kocsis and others, to the Nashville & Chattanooga Railroad; thence east to the southeast corner of Travis' lands, leaving Travis in Franklin County; thence with Travis' east and north line, west of Blue Creek, thence up Blue Creek (including) the lands of David Hart, in Coffee County, to the Lynchburg & Tullahoma Road; thence with said road to the Moore County Line; thence north and east with the Moore and Bedford County Line, to the Line of Coffee County; *Provided,* that the parties so detached from Franklin and attached to Coffee County, shall pay their taxes for 1878, to the Trustee of Franklin County.

SEC. 2. *Be it further enacted,* That the said citizens so detached from Franklin County, be attached to the 13th Civil District of Coffee County.

SEC. 3. *Be it further enacted,* That all laws and parts of laws, in conflict with this Act, be and the same is hereby repealed.

SEC. 4. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 24, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.

J. R. NEAL,
Speaker of the Senate.

Approved March 26, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER CLXXIX.

AN ACT to change the time of holding the Circuit Court for the Counties of Blount and Loudon, in the 3rd Judicial Circuit.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That hereafter the Circuit Court for the County of Blount, shall begin and be held upon the fourth Mondays of January, May and September, instead of the fourth Mondays of April, August and December, as now provided by law, and that the Circuit Court for the County of Loudon, shall be held on the fourth Mondays of April, August and December, instead of on the fourth Mondays of January, May and September, as now provided by law, the first term of said Circuit Court for the County of Blount, under this Act, to be held on the fourth Monday of September, 1879, and the first term of the said Circuit Court for the County of Loudon, under this Act, to be held on the fourth Monday of August, 1879, and thereafter as herein provided.

SEC. 2. *Be it further enacted,* That from and after the fourth Monday of April, 1879, all original and other process, issued from, and returnable to the Circuit Court of Blount County, shall be made returnable to the several terms of the Courts of said County, as provided for in this Act, and that from and after the fourth Monday of May, 1879, all original and other process issued from, and returnable to the Circuit Court of Loudon County, shall be made returnable to the several terms of the Courts of said County, as provided for in this Act.

SEC. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 24, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 26, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER CLXXX.

AN ACT to relieve the docket of the Supreme Courts of Tennessee of the great number of cases now encumbering them, and for the appointment of a Special Commission.

Commissioners.

Special terms.

Meets at Nashville.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Governor of this State is authorized to appoint three persons in each grand division of the State, learned in the law, who shall act as a Special Commission in hearing the cases pending on the dockets of the Supreme Court, at Nashville, Jackson and Knoxville, at the time said Courts may sit and preparing their conclusions therein to be reported and submitted to the Supreme Court at special terms thereof, to be held at Nashville, on the first Monday in November, 1879; at Jackson on the first Monday in September, 1879, and at Knoxville on the second Monday in March, 1880; said reports and conclusions to become the judgments and decrees of the Supreme Court when approved by said Court, said Commission will only hear and report upon such civil causes as the parties, or their attorneys or solicitors, may submit to said Commission, consent to, being presumed unless objection thereto be filed in writing in the various causes, ten days before the meeting of said Courts of Arbitration; said Commission shall meet at Nashville on the first Monday in May, 1879, and continue in session until the whole docket is called.

Compensation.

SEC. 2. *Be it further enacted,* That the members of said Commission Court shall be compensated out of the Treasury of the State for the time actually engaged, at the rate now fixed by law for the Judges of the Supreme Court and the amount thereof, together with the expenses incidental of the Commission, to be ascertained and certified to by the Clerks of the Supreme Courts where it shall sit as hereinbefore provided and the same shall be paid upon the warrant of the Comptroller. That the persons appointed to serve upon the Arbitration Courts hereinbefore provided for, shall receive compensation at the rate of three thousand dollars per year for the number of days they may actually serve.

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SEC. 3. *Be it further enacted*, That said Commission shall have power to appoint an officer of Court and have all the power of a regular Court to enforce order and decorum.

SEC. 4. *Be it further enacted*, That no opinion of said Commission shall be published in the reports of the decisions of the Supreme Court, nor shall the same have any further or other effect than to determine the particular cause wherein rendered, and shall be of no force or effect or authority as precedent in other causes.

SEC. 5. *Be it further enacted*, That said Commission Court shall meet at Jackson on the first Monday in May, 1879, and continue to sit until they dispose of all the cases submitted upon the civil docket of West Tennessee. Meets at Jackson.

SEC. 6. *Be it further enacted*, That said Commissioners shall, before entering on the discharge of their duties, take an oath of office similar to that prescribed by law to be taken by Judges of the Supreme Court, and may select and appoint one of their number to preside and act as Chief Commissioner, and in the event any one of said Commissioners may be incompetent to sit in any cause submitted to them, the remaining Commissioners shall hear and decide upon the same as hereinbefore prescribed, said Commission for the Eastern Division of the State shall sit at Knoxville, beginning on the first Monday of December, 1879, and shall remain until the first of March, 1880, or until the business on the civil docket of said Supreme Court at Knoxville, shall have been disposed of. Knoxville.

SEC. 7. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 25, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 26, 1879.

ALBERT S. MARKS,
Govenror.

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CHAPTER CLXXXI.

AN ACT to amend Section 844 of the Code of Tennessee, amending "Judge's oath of election."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 844 of the Code of Tennessee shall be amended so as to read, "You do solemnly swear that, as Judge of this election, you will suffer no one to vote whom you know, of your own knowledge, or who appears either by his own oath or by the testimony of others, not to be a qualified voter; that you will not suffer the ballot-box to be out of the presence or sight of at least two of your number until every vote is counted out; that you will faithfully and impartially conduct yourselves as judges of this election, and that you will in all respects perform the duties imposed upon you by law as judges and inspectors of this election, so help you God."

Amended oath.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public good demanding it.

Passed March 12, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 28, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CLXXXII.

AN ACT to amend an Act to regulate and equalize the salaries of certain public officers.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That an Act passed January 29th,

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1879, and approved January 30th, 1879, entitled, "An Act to regulate and equalize the salaries of certain public officers," be so amended that whenever, in the opinion of the Judge or Chairman of the County Court, the duties devolving upon their respective Registers are more than they can perform by devoting their entire time and attention thereto, they may authorize such Register to appoint one deputy, who shall be paid out of the fees of the office, at a salary not to exceed fifty dollars per month.

Additional Deputy Register.

SEC. 2. *Be it further enacted*, That said Deputies shall be removed whenever in the opinion of the Judge or Chairman of the County Court their services can be dispensed with.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 22, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 27th, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CLXXXIII.

AN ACT to make it a misdemeanor to obstruct public highways, private ways, streets, alleys, sidewalks, etc.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall be a misdemeanor for any person to obstruct the public highways, private ways, streets, alleys, sidewalks, public grounds, commons and ways to burying places, churches or school houses, and that it shall be an obstruction under this Act for any person to ride horseback, hitch horses upon, or drive a wagon, buggy or any vehicle, upon said sidewalks.

Misdemeanor declared.

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SEC. 2. *Be it further enacted*, That if any person shall be guilty of any one of the offences mentioned in the foregoing Section of this Act shall, upon conviction, pay a fine in an amount not to exceed twenty-five dollars, and may be imprisoned in the county jail at the discretion of the Court, for a period of time of not more than twenty days.

Penalty.

SEC. 3. *Be it further enacted*, That this shall apply to all public highways, private ways, recognized as such, by law, streets, alleys, sidewalks, public grounds, commons, and ways to burying places, situated within the limits of any incorporated town or city where the laws incorporating the same has or may hereafter be repealed, or has or may hereafter forfeit their charters, or may fail to keep an organized Board of Mayor and Aldermen; *Provided, however*, it shall not be so construed as to interfere with the regulations and governments of any organized corporation of any town or city.

Application to what places.

SEC. 4. *Be it further enacted*, That the Board of Mayor and Adlermen of any incorporated city shall be guilty of a nuisance under the present existing laws of the State, if they permit any of the foregoing offenses named in the first Section of this Act, within the corporate limits.

Board.

SEC. 5. *Be it further enacted*, That no person under this Act shall be amenable to the first Section of the same by reason of their obstructing any street, cross street or alley in any town with material for building or repairing buildings or grounds attached to the same; *Provided*, that the same is not obstructed an unreasonable length of time; *Provided*, not more than one-half of the passway shall be obstructed at any one time.

Building material excepted.

SEC. 6. *Be it further enacted*, That the Circuit and Criminal Judges of this State shall give this Act in charge to the Grand Juries, and that this Act take effect from and after its passage, the public welfare requiring it.

Judges to charge

Passed March 25th, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 27, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER CLXXXIV.

AN ACT to attach the County of Trousdale to the Fifth Judicial Circuit, and to repeal an Act passed January 31st, 1871, entitled, "An Act to attach the County of Trousdale to the Seventh Judicial Circuit, and to fix the time of holding the Circuit Court therein.

WHEREAS, An Act was passed by the General Assembly of the State of Tennessee, on the 13th of March, 1873, entitled, "An Act to create and establish the Sixteenth Judicial Circuit in this State; and,

WHEREAS, By the 5th Section of said Act, the County of Trousdale was detached from the Seventh (7th) Judicial Circuit and attached to the Fifth Circuit, and the times of holding said Courts fixed by said Act, and the Judge and Attorney General of the Fifth Circuit directed to hold the Courts of said county; and,

WHEREAS, Some question has been raised as to the constitutionality of said Act, now, not conceding that said Act was passed in an unconstitutional manner, nor that the whole or any part thereof, is unconstitutional, and expressly averring that it is Constitutional, but to remove all grounds of complaint as to said Act; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the county of Trousdale be, and the same is hereby attached to the Fifth Judicial Circuit, and the Circuit Court of the same shall be held on the fourth Mondays of April and August and the third Monday of December of each year.

SEC. 2. *Be it further enacted,* That the Judge and Attorney General of the Fifth Circuit shall hold the Circuit Courts of said County of Trousdale.

SEC. 3. *Be it further enacted,* That an Act to attach the County of Trousdale to the Seventh Judicial Circuit, and to fix the time of holding the Circuit Court therein, passed by the General Assembly of the State of Tennessee, January 31st, 1871, and approved February 1, 1871, be, and the same is hereby repealed.

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SEC. 4. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 25th, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 27th, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CLXXXV.

AN ACT to amend an Act passed March 20, 1858, entitled, "An Act to establish the Chattanooga Normal Academy of Music; to incorporate the Nashville German Harmonic Dramatic Society; the Bascombe Rhetorical Society of Andrew College, and for the benefit of the Trustees of Laurence Academy, in the Town of Woodbury, and for other purpose.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 15 of an Act passed March 20, 1858, entitled An Act to establish the Chattanooga Normal Academy of Music; to incorporate the Nashville German Harmonic Dramatic Society; the Bascombe Rhetorical Society of Andrew College, and for the benefit of the Trustees, of Laurence Academy in the Town of Woodbury, and for other purposes, be and the same is here repealed.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March, 25, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved, March 28th, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER CLXXXVI.

AN ACT to amend the Criminal Laws of this State upon the subject of carrying concealed weapons, and amend Section 4759 of the Code.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Act of 1871, Chapter 90, be and is hereby amended, that hereafter it shall not be lawful for any person to carry, publicly or privately, any dirk, razor concealed about his person, sword cane, spanish stilletto, belt or pocket pistol, revolver, or any kind of pistol, except the army or navy pistol, usually used in warfare, which shall be carried openly in the hand, or loaded cane, slung-shot, brass knucks; and any person guilty of a violation of this Act shall be subject to presentment or indictment, and on conviction shall be fined fifty dollars, and imprisoned in the County jail of the County where the offense was committed, the imprisonment only in the discretion of the Court; *Provided*, the defendant shall give good and sufficient security for all the costs, fine, and any jail fees that may accrue by virtue of the imprisonment of the defendant. Offence and penalty. Proviso.

SEC. 2. *Be it further enacted*, That nothing in this Act be so construed as to operate as a pardon for any offense heretofore committed, but persons indicted or presented for carrying dangerous weapons under the law now in force, shall be tried under said laws, and punished as therein required.

SEC. 3. *Be it further enacted*, That the provisions of this Act shall not apply to any person employed in the army, navy, or marine service of the United States, or to any officer or policeman while *bona fide* engaged in his official duties in the execution of process, or while searching for or engaged in arresting criminals, nor to persons who may have been summoned by such officers or policeman in the discharge of their said duties, and in arresting criminals and transporting and turning them over to the proper authorities; and, *Provided, further*, that said persons who may be employed in the army, navy or marine service, as aforesaid, shall only carry such pistols as are prescribed by the army and navy regulations. Soldiers and Police excepted.

SEC. 4. *Be it further enacted*, That all laws and parts

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of laws that come in conflict with the provisions of this Act be and the same are hereby repealed; *Provided*, that any person convicted of an offense under this Act shall not be deprived of the right of voting or holding office.

Passed March 26, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved, March 27, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CLXXXVII.

AN ACT to amend an Act approved March 6th, 1873, entitled, "An Act to establish and maintain a uniform system of Public Schools."

Study of Agriculture enjoined

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 31 of the Act approved March 6th, 1873, entitled "An Act to establish and maintain a uniform system of Public Schools," be so amended as to add to the curriculum of studies prescribed therein, the study of the elementary principles of Agriculture.

Superintendent Public Instruction and Commissioner Agriculture to design book.

SEC. 2. *Be it further enacted*, That the Superintendent of Public Instruction of this State, and Commissioner of Agriculture shall be constituted a Commission to procure the preparation of, or the designature of, a work on the "Elementary Principles of Agriculture," which shall be taught in the Public Schools of the State, as are the other studies prescribed in the 21st Section of the Public School Law; *Provided*, no monies are to be paid by the State or out of the school fund for the preparation of the necessary book.

Passed March 26, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 27, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER CLXXXVIII.

AN ACT to repeal an Act incorporating the Town of Chestnut Mound, in Smith County, Tennessee, and to repeal the Charter of Elizabethton, in Carter County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an Act passed December 3, 1859, Chapter 18, incorporating the Town of Chestnut Mound, be and the same is hereby repealed.

SEC. 2. *Be it further enacted*, That all of an Act entitled, "An Act to incorporate the Town of Elizabethton, in Carter County, and the Town of Cornersville, in the County of Giles, and for other purposes," passed December the 31st, 1849, so far as the same incorporates the Town of Elizabethton, in said Carter County, be and the same is hereby repealed, and the territory embraced in said incorporation, is hereby remanded to the jurisdiction of the County Court of said County.

Passed March 26, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 27, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER LXXXIX.

AN ACT for the relief of Educational Institutions.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Trustees, Directors or Managers in any college, seminary, academy or any other incorporated institution of learning in this State, are

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May change name.

hereby authorized to change the name of such college, seminary, academy or other institution of learning, by a majority vote, and upon such change being made, the institution under its new name, shall continue incorporated with all the privileges and powers conferred upon such institution by statute under its former name and the title together, with such powers and privileges as pertain to institutions of like name and title as that to which it is changed.

May sell property.

SEC. 2. *Be it further enacted,* That the Trustees, Directors or Managers, of any such institution appointed by the County Court of any County in this State, be and they are hereby authorized and empowered, to sell or dispose of any part of such property as may be necessary, in order to improve the property unsold, and to better carry out the purposes for which such institution was designated; *Provided,* that no such sale shall be deemed valid, or have any effect unless such sale shall be reported to the County Court of the County wherein such sale is made and confirmed at a quarterly term of said Court in all cases where the County has any interest in the property.

County to add Directors.

SEC. 3. *Be it further enacted,* That in case any sale contemplated as provided for in this Act, and such fact reported to the County Court of any County in this State, by existing parties, Directors or Managers, or at the option of said Court without such report, the County Court or Chairman thereof, may appoint such additional Trustees, Directors or Managers not exceeding 10, as they may deem necessary to protect the interest of the County in such property and management thereof, or to promote the interest of such institution.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 26, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 27, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER CXC.

AN ACT to repeal the Charter and abolish the Corporation of the Town of Gainesborough.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an Act entitled, "An Act to incorporate the inhabitants of the Town of Gainesborough, in the County of Jackson, passed July 20 1820," and so much of the Act passed December 17, 1869, Chapter 31, of the Acts of 1869 and 1870, as is amendatory of the Charter of the Town aforesaid, and also an Act passed March 24, 1877, entitled, "An Act to extend the corporate limits of the Town of Gainesborough, in Jackson County, be and the same are hereby repealed.

SEC. 2. *Be it further enacted*, That all laws and parts of laws in conflict with this Act be and the same are hereby repealed.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 26, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 29, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CXCI.

AN ACT to amend Section 10 of an Act, passed March 3rd, 1855, incorporating the City of Jackson, in Madison County, so as to confer upon the Recorder of said City jurisdiction of a Justice of the Peace, in all cases of the violation of the Criminal laws of this State within the corporate limits of said City.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Recorder of the City of

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Jackson be, and he is hereby invested with concurrent jurisdiction of Justice of the Peace, in all cases of violation of the criminal laws of the State, within the corporate limits of said City, and he shall be entitled to receive the same fees as Justices of the Peace are now entitled to receive for like services.

SEC. 2. *Be it further enacted,* That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed March 26, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 27, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CXCII.

AN ACT to prevent County Courts from appropriating monies, to repair and build bridges on Chartered Turnpike Roads.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That no County Court of this State, shall appropriate any monies to repair or build any bridges on Chartered Turnpike Roads, who charge and collect toll.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public good requiring the same.

Passed March 24, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 27, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER CXCIII.

AN ACT for the relief of C. D. Allen.

WHEREAS, C. D. Allen, Tax Collector of Gibson County, for the years 1872 and 1873, by a mistake paid into the Treasury of the State a larger sum than was due to the State by him as such collector; and,

WHEREAS, since the accounts of said Allen, as such collector, were closed in the Comptroller's office, it has been ascertained that the Clerk of the County Court of said County, made a large error against said Allen, in certifying to the Comptroller the amount of taxes said Allen should be charged with as such collector, and said Allen is entitled to credits on his accounts with the State that he has never received; and,

WHEREAS, it appears that there is a deficit in the accounts of said Allen with said County, and that he is due the common school fund of said County a large sum; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Comptroller draw a warrant on the Treasurer of the State for the sum of $2,100, payable to J. C. Long as Trustee of Gibson County, the proceeds of said warrant to be placed to the credit of the common school fund of said County by said Trustee, and that said Allen have a credit for the amount of said warrant on what he is due said school fund as collector aforesaid.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 26, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 27, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER CXCIV.

AN ACT to amend the Charter of certain towns and cities of this State so as to make the term of Aldermen two years instead of one year.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That at the next annual election of Aldermen in any town or city of this State, where two Aldermen are to be elected from each ward, that the person receiving the highest number of votes at said election, shall be elected for two years, and the person receiving the next highest number of votes shall be elected for one year; and at the annual election following, there shall be but one Alderman elected, and he for the term of two years; it being the intent and meaning of this Act that one-half of said Aldermen be elected annually for the term of two years; *Provided,* that the provisions of this Act shall not apply to any town or city in this State until the same shall have been accepted by a vote of the Mayor and Aldermen or City Council, of city or town, a majority of all elected concurring.

SEC. 2. *Be it further enacted,* That this Act take effect forty days after its passage.

Passed March 27, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 28, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CXCV.

AN ACT for the location, improvement and better management, of the Law Library of the State.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Governor of the State

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be, and he is hereby authorized, upon satisfactory assurances that an expenditure of at least one thousand dollars, without expense to the State, will be made in fitting up and adding to the Law Library for the State, to designate and set apart as a location for said Library, the present Library room and so much of the adjoining room as may be necessary or the room below the present room, and so much of the adjoining room as may be necessary, and authorize the same to be improved, fitted up and shelved, according to a plan to be approved by him.

SEC. 2. *Be it further enacted*, That the Law Library be, and remain under the general charge of the State Librarian, but if removed from its present locality, that it be placed in the special charge of a Deputy Librarian, to be selected by the Board of Commissioners of the State Library.

SEC. 3. *Be it further enacted*, That said Library shall be free to casual visitors, the members of the Legislature and the Executive and Judicial officers of the State, but no book shall be taken out of the Capitol building, nor out of the Library rooms, except by a member of the Legislature or one of the Executive or Judicial officers of the State, on his personal receipt for a definite time, say ten days, after the lapse of which, it shall be the duty of the Librarian to see the book is returned or accounted for, in default of which in ten days after notice from the Librarian, the delinquent will be liable to a fine of ten dollars, to be recovered before any Justice of the Peace by the Librarian.

SEC. 4. *Be it further enacted*, That the Commissioners of the State Library be, and they are hereby authorized, to accept loans or donations of law books, for the State Law Library, upon such terms as may be agreed on, and, if the lenders and donors choose to require it, that the books so loaned or given, be not taken from the Library rooms at all, by any persons.

Fee may be charged.

SEC. 5. *Be it further enacted*, That in order to furnish the means of paying a Deputy Librarian and of making additions to the Library, the Board of Commissioners of the State Library be, and they are hereby authorized, to charge and collect from all persons using the Library, other than those hereinbefore mentioned, a small annual fee of not exceeding six dollars to be paid in advance; *Provided*, that attorneys from other parts of the State, attending the courts sitting at Nashville, shall not be required to pay any fee for using the Library.

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SEC. 6. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 27, 1879.

J. R. NEAL.
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 28, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CXCVI.

AN ACT to amend Section 3217 of Thompson and Steger's Code, for the relief of the Clerks of the inferior Courts of the State.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 3217 of Thompson and Steger's Code be and the same is hereby so amended as to require the Clerks of the Supreme Courts of this State to pay over to the Clerks of any of the inferior Courts of this State, in person, or upon the order of said Clerks of such inferior Courts, under seal of their respective offices, any and all costs and fees which may have accrued in said inferior Courts.

Supreme Court Cl'rk to pay over costs to inferior Clerks.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 27, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 29, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER CXCVII.

AN ACT to change and fix the times for holding the Chancery Court of Knox County, and to amend Section 1076 of the Code.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Chancery Court of the County of Knox shall hereafter be held on the first Mondays of January, and the fourth Mondays of June in each and every year. Terms.

SEC. 2. *Be it further enacted*, That all process from said Court which shall be issued after the passage of this Act, shall be returnable to the times herein mentioned, or the times prescribed for the return of process, by rule of said Court. Process.

SEC. 3. *Be it further enacted*, That the March term, 1879, of said Court, be held at the time now fixed by law, and thereafter said Court shall be held at the times herein prescribed. March term 1879.

SEC. 4. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 27, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 29, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CXCVIII.

AN ACT to protect fish in the Counties of Dickson, Houston, Cheatham, Davidson, Rutherford, Williamson, Shelby, Fayette, Tipton and Carroll.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall be unlawful for any

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Offence. person or persons to take any fish in any of the waters of Dickson, Houston, Cheatham, Davidson, Rutherford, Williamson, Shelby, Fayette, Tipton and Carroll Counties, except by baited hook and line, or trot line.

SEC. 2. *Be it further enacted,* That whoever shall catch any fish, in any of the waters of said Counties by means of gill nets, set nets, seines, gigs, bows and spikes, grab Penalty. hooks, baskets or traps, or by any other means than by hook and bait, shall be guilty of a misdemeanor, and upon conviction before any Court having jurisdiction of the offence, shall be fined not less than twenty-five nor more than one hundred dollars; *Provided,* that this Act shall not apply to persons owning private fish ponds, or to persons owning the land on both sides of a running stream, the same being closed by a substantial fence.

SEC. 3. *Be it further enacted,* That this Act shall be Judge to charge given in charge by the Judges of the Circuit Courts to the grand juries at each term of their respective Courts.

SEC. 4. *Be it further enacted,* That the grand juries of said Counties shall have inquisitorial powers as to violation of this Act, and when any member thereof Grand jury powers. pects or knows of a violation of the same, they shall send for witnesses in order to make presentments.

SEC. 5. *Be it further enacted,* That the provisions of this Act shall not apply to the Cumberland, Tennessee Exception. and Big Hatchie Rivers.

SEC. 6. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 27, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 29, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER CXCIX.

AN ACT to repeal Section 52, of an Act, passed February 17th, 1870, incorporating the Town of Bethel Springs, in the County of McNairy.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 52 of an Act passed February 17th, 1870, incorporating the Town of Bethel Springs, in the County of McNairy, be, and the same is hereby repealed.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 27, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 31, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CC.

AN ACT to amend Section 3813 of the Revised Code of Tennessee, and make uniform the rules of evidence in certain cases.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 3813, sub-Section C., of the Thompson & Steger's edition of the Code, be, and the same is hereby so amended as to read, in all civil actions in the Courts of this State, no person shall be in-

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Parties may testify in their own suits.

competent to testify because he or she is a party to or interested in the issue tried, nor because of the disabilities of coverture, but all persons, including husband and wife, shall be competent witnesses; *Provided*, that neither husband or wife shall testify as to any matter that occurred between them by virtue or in consequence of the marital relation.

Husband and wife.

SEC. 2. *Be it further enacted*, That it shall not be lawful for any party to any action suit, or proceeding in any Court of this State, to testify as to any transaction or conversation with, or statement by any opposite party in interest, if the opposite is incapacitated or disqualified to testify thereto, by reason of idiocy or lunacy, or insanity, unless called by the opposite side, and then in the discretion of the Court. That all laws or parts of laws coming in conflict with the provisions of the First and Second Sections of this Act, be and the same are hereby repealed.—That this Act take effect from and after its passage, the public welfare requiring it.

Not to testify where opposite party is incapacitated.

Passed March 27, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 29, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CCI.

AN ACT to authorize an appointment of a Notary Public for the Town of Goodlettsville, by the County Court of Davidson.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Quarterly County Court of Davidson County, at its next April term, is authorized to elect a Notary Public for the Town of Goodlettsville, Davidson County, who shall hold his office for four years,

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and until his successor is elected and qualified, and have and exercise the same powers and duties as other Notaries Public in this State.

Passed March 27, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 31, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CCII.

AN ACT to declare Clinch river navigable and to improve the navigation of the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That all persons owning fish traps in Clinch river from the Virginia line to its mouth at Kingston, shall be required within six month after the passage of this Act, to tear out said traps and move out said dams for a space of ninety feet in the boat shute.

SEC. 2. *Be it further enacted,* That any person failing to comply with the provisions of this Act, shall be guilty of a misdemeanor, and on conviction, be fined not less than fifty dollars, and be further liable for all damages to any person, boat or raft by reason of said trap or dam.

SEC. 3. *Be it further enacted,* That it shall be the duty of the Judges holding courts in counties bordering on said river to give this Act in charge to the grand jury at each term of their courts.

SEC. 4. *Be it further enacted,* That this Act is not intended to meddle with or to interfere with Wm. J. K. Lawson's or Wm. and Larkin Levisy's milldams in Han-

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cock County. That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 27, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 29, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CCIII.

AN ACT to provide for selling Bolivar Male Academy.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Trustees of the Bolivar Male Academy of Hardeman County, Tennessee, be, and they are hereby, authorized to sell said Academy lot and building for the best price possible, and to execute to the purchaser an absolute deed to the same, the proceeds of the sale to be used and invested by the said Trustees in like manner and for the same trusts and purposes as the present lot and building, and to be so expressed, and stipulation in the vestiture of title to any other lot purchased or building erected by them; *Provided,* that said Trustees may, in their discretion, should it appear impracticable to build a public Academy independent of the public school fund, turn over said funds or proceeds to the Board of School Directors of district No. 6, of Hardeman County, to be by them used and invested in a lot and building for common school purposes in their district.

SEC. 2. *Be it further enacted,* That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed March 27, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 29, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER CCIV.

AN ACT to settle the bonded debt of the State.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the following described bonds, purporting to be the bonds of the State of Tennessee, with the accumulated interest thereon, be settled and funded in the coupon bonds of the State at the rate of fifty cents on the dollar upon their face value, bearing interest at the rate of four per cent per annum until paid, said bonds to be in denominations as follows: One-third at from five dollars to one hundred dollars, one-third at from one hundred to five hundred dollars, one-third at one thousand dollars, falling due at the end of thirty years, but redeemable and renewable at the pleasure of the State; the interest on said bonds being due and payable on the first day of January of each and every year, at the Capitol of the State at Nashville, in the Treasurer's office. The bonds herein referred to being known and designated as follows:

Bonds to be compromised, and basis.

Capitol bonds	$ 493,000
Hermitage bonds	35,000
Agricultural bonds	18,000
Union Bank bonds	125,000
Bank of Tennessee bonds	214,000
Bonds issued to the various turnpike companies.	741,000
Hiawassee Railroad	280,000
East Tennessee & Georgia Railroad Co	144,000
Memphis & Lagrange Railroad Co	68,000
Ante-war Railroad bonds	8,583,000
Post-war Railroad bonds	2,638,000
Funded under Act of 1866	2,246,000
" " " 1868	569,000
" " " 1873	4,867,000

SEC. 3. *Be it further enacted,* That the proposition to settle the State's indebtedness contained in this or any other bill that shall pass, shall not be submitted to the voters of the State, nor the Legislature convened until the Governor shall communicate with the bondholders or their Chairman, notifying them of the action of the Legislature, and when he shall have obtained the acceptance

Proposition to be first submitted to creditors.

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of said proposition from an equal number in amount as now propose to take sixty cents in the dollar and six per cent interest.

Provisions for vote of the people of the State on settlement.

SEC. 3. *Be it further enacted,* That the voters at said election, being qualified voters of the State, shall vote directly upon the provisions of the first Section of this Act, those voting for the acceptance of the same having written or printed on their ticket the word "Accepted," and those opposed to the provisions of said Section having written or printed on their ticket the word "Rejected." And it shall be the duty of the Sheriffs of the various counties of this State to compare the votes cast in said election and make return thereof to the Governor and Secretary of State, who shall compare said vote, and the Governor shall decide the result when ascertained. The Governor shall make proclamation as to the result of said election when ascertained.

For convening General Assembly.

SEC. 4. *Be it further enacted,* That if there shall be a majority of votes cast as to said election in favor of the acceptance of the provisions of said Section, the Governor shall issue his proclamation convening a Special Session of the General Assembly, for the purpose of enacting into a law and providing for the enaction of the provisions of the first Section of this Act, limiting the time within which said funding shall be completed, and making such provisions with reference to the bonds not funded within that time, as such General Assembly shall enact.

Railroad surrender and agreement for tax.

SEC. 5. *Be it further enacted,* That inasmuch as the railroad companies of this State propose to surrender and give up their charter exemptions from taxation, and pay an annual tax of $100,000, by their written communication to the Governor, therefore the railroad companies of this State shall, together, under and in pursuance of the provisions of this Act, and in order to carry out the same, annually pay into the State Treasury, beginning with the year 1879, the sum of one hundred thousand dollars, the same to be due and payable as other taxes are, the said sum to be pro-rated between said companies according to their present or any future assessed valuation, but if at any time the assessed valuation of their property exceeds an amount which, at any time under the then regular State tax levy, will yield a larger amount of revenue than $100,000, then said railroad companies shall be taxed as all other property may be, said sum of $100,000, and such sum in excess thereof paid by

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said railroad companies to be appropriated to the public debt.

Passed March 28, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved, March 31st, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CCV.

AN ACT to amend Section 1st of "An Act allowing to the owners of turnpikes further time to complete the repairs required of them as purchasers, under an Act entitled an Act to sell the State's interest in turnpikes and plank roads, and to carry into effect the Act of March 12th 1860, and to increase the revenue of the State, passed March 24th, 1877.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 1st of an Act passed March 24th, 1877, entitled "An Act allowing the owners of turnpikes further time to complete repairs required of them as purchasers under an Act entitled 'An Act to sell the State's interest in turnpikes and plank roads,' and to carry into effect the Act of March 12th, 1860, and to increase the revenue of the State," be, and the same is, hereby so amended as to read three years instead of two years; *Provided,* that such roads are now in accordance with the conditions they were when purchased or relinquished, or that said purchasers are now engaged in repairing such roads; *Provided,* that no turnpike company shall be entitled to the provisions of this Act that hereafter charges toll of persons going to mill, to church or to elections.

SEC. 2. *Be it further enacted,* That this Act shall take

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effect from and after its passage, the public welfare requiring it.

Passed March 27, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March, 29 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CCVI.

AN ACT to amend Section 1898*a* of Thompson & Steger's revised edition to the Code of Tennessee, and regulate the charges of Warehouses on sales of tobacco.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 1898*a* of Thompson & Steger's edition to the Code of Tennessee be so amended that the compensation of warehouse keepers for receiving, storing, inspecting, coopering and selling tobacco, shall be as follows, viz: For each hogshead of tobacco, receiving and weighing, twenty-five cents; storage, fifty cents; inspection and cooperage, fifty cents; reweighing fifteen cents; auctioneer's fees twenty cents; for selling and paying over fifty cents, and one per cent. commission on proeeeds of sales for storage for any period under four months, to be paid by the purchaser two dollars, and twenty-five cents every additional month.

SEC. 2. *Be it further enacted,* That all laws in conflict with this Act are hereby repealed, and this Act take effect from and after its passage, the public welfare requiring it.

Passed March 27, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved.

ALBERT S. MARKS,
Governor.

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CHAPTER CCVII.

AN ACT to authorize counties in this State to compromise and adjust certain alleged indebtedness against said counties.

WHEREAS, Some of the Counties of this State are involved in controversy and litigation touching the validity of certain interest-bearing coupons bonds, which it is alleged, said Counties respectively have issued or caused to be issued to the Mississippi River Railroad Company, and others, under and by virtue of the provisions of the sixth (6th) Section of an Act of the General Assembly of the State of Tennessee, passed on the twenty-fifth (25th) day of February, 1867, entitled "An Act for the benefit of the Winchester & Alabama Railroad Company, and for other purposes," and also under and by virtue of the provisions of the first Section of an Act of said General Assembly, passed on the fifth (5th) day of November, 1867, entitled "An Act for the benefit of the Mississippi River Railroad;" and,

WHEREAS, It is expedient that said litigation shall speedily terminate in some just settlement between the holders and owners of said indebtedness and said Counties; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That any County in this State which may have heretofore issued any interest-bearing County bonds other or written evidence of indebtedness to any person or corporation, under or by virtue of the authority of said Acts of the General Assembly mentioned in the preamble hereto, or either of said Acts named in said preamble, is hereby authorized and empowered to compromise, adjust and settle such bonds or indebtedness upon such terms and conditions as may be agreed on in writing between such County and the holders or owners of such bonds or indebtedness, upon compliance with the requirements of the subsequent portions of this Act.

Counties may compromise indebtedness.

SEC. 2. *Be it further enacted*, That so soon as the terms and details of such compromise or adjustment between such County and the owners and holders of said bonds and indebtedness may be agreed on and reduced to writing and signed by such holders and owners and by the

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Chairman of the County Court of such County, it shall be the duty of the parties thereto to publish the terms of such proposed settlement in some newspaper published in such county for three successive weeks preceeding the election hereinafter contemplated, and if there be no newspaper published in such County, then in a newspaper published nearest the County seat of such County, and in addition thereto the Sheriff of such County shall give at least twenty days notice of the time and place of holding the election provided by this Act, which election shall be held at the places provided for the election of Governor in such County, and conducted in all other respects as provided by law for the election of Sheriffs.

Compromise to be advertised.

SEC. 3. *Be it further enacted*, That said election shall be held at such times as the County Court of such County, at a quarterly term of said Court, shall appoint, and shall be for the purpose of affording the legally qualified voters of such County an opportunity to ratify and confirm or reject such settlement, adjustment or compromise as is contemplated in this Act of Assembly. Each voter who may agree to and favor such compromise, adjustment or settlement shall indicate his wishes by writing or printing upon his ticket or ballot the word "Ratified," and each voter who may object to such settlement, adjustment or compromise shall indicate his wishes by writing or printing upon his ticket or ballot the words "No Ratification. The Sheriff holding such election shall make due returns thereof to the next ensuing quarterly term of the County Court of such County, which is hereby authorized to examine the returns, to count the votes and to declare the result of said election, which result shall be entered upon the records of said Court. If three-fourth of the qualified voters voting at such election shall have voted for "Ratification," then and in that event, such compromise, settlement or adjustment shall be final, binding and conclusive upon such County and all other parties thereto.

Election to ratify provided for.

SEC. 4. *Be it further enacted*, That if such settlement, adjustment or compromise shall result in the establishment or admission of any indebtedness of such County or provide for the payment of any fixed ratable, or ascertainable amount of money, such sum or amount so agreed on or fixed, may be paid by such County in interest-bearing six per cent. coupon bonds of such County, to be signed by the Chairman and attested by

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the Clerk of said Court, divided into annual installments so that one portion of such bonds shall become due each year; *Provided*, that none of said bonds shall be due more than ten years from the time of their issuance and delivery. Such bonds may be payable to the parties to whom the sum may be issued, or bearer, and after such bonds may have been issued, it shall be the duty of the County Court of the County issuing said bonds, annually from time to time, to levy an assessment upon all the taxable property within such County, sufficient to pay the annually accruing interest upon such bonds, and also to pay the principal of such bonds as may become due during the year in which such assessments may be made. Compromise bonds.

SEC. 5. *Be it further enacted*, That the quarterly County Court of any County which may proceed to avail itself of the provisions of this Act shall be the sole authority for representing such County in all such proceedings.

SEC. 6. *Be it further enacted*, That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed March 27, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved, March 31, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CCVIII.

AN ACT to amend the charter of Columbia.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 2, Chapter LVI, of an Act entitled an Act to reduce the several Acts incorporating the City of Columbia into one Act, and to amend the same, be, and the same is, hereby so amended that the Board of Aldermen shall consist of three Aldermen for each ward, chosen by the qualified voters of each ward

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Terms of Aldermon.

respectively, at the the next annual election on the third Saturday in November, 1879, one of said Aldermen from each ward so chosen, to serve for one year, one from each ward so chosen to serve for two years, one from each ward so chosen to serve for three years. After said Aldermen are so chosen, they shall, before being sworn into office, determine by lot or otherwise the respective terms for which they are so chosen.

SEC. 2. *Be it further enacted,* That annually thereafter, on the third Saturday in November, there shall be chosen one Alderman from each ward, by the qualified voters of each ward respectively, for three years.

SEC. 3. *Be it further enacted,* That all laws or parts of laws coming in conflict with this Act be, and the same are, hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 27, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved, March 31, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CCIX.

AN ACT to amend Section 4853*a* of Thompson & Steger's Code so as to protect Temperance Orders.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 4853*a*, Article IV, of Thompson & Steger's Code, be so amended as that all penalties of the preceeding Section, 4853, for disturbing public worship shall apply to any person or persons who shall wilfully disturb or disquiet an assemblge of persons who meet together as a lodge of, or otherwise, for the purpose of engaging in or promoting the cause of Temperance.

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SEC. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 27, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved, March 31, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CCX.

AN ACT to prohibit speculation in witness fees and other fees originating in Courts.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it is hereby declared to be a misdemeanor for any person in this State, either by himself or through an agent, to purchase, contract for or otherwise speculate in fees due to witnesses for attendance as such in said Courts, or to buy or speculate in any other fees for services rendered by third persons in said Courts for less than their face value; *Provided,* that the provisions of this bill shall not apply to witness fees traded for merchandise or hotel bills. Misdemeanor.

SEC. 2. *Be it further enacted,* That a conviction for the violation of the provisions of this Act shall subject the guilty party to a fine of one hundred dollars, one-half said fine to be accorded to the prosecutor, by any Court of law having jurisdiction before whom the action is brought, and if the said guilty party be an officer of any Court such conviction shall work a forfeiture of his office. Penalty.

SEC. 3. *Be it further enacted,* That this Act take ef-

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fect from and after its passage, the public welfare requiring it.

Passed March 27, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 31, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CCXI.

AN ACT to exempt one leg or one armed persons from a poll tax.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That all persons who have lost a leg or foot, or hand or arm, or hereafter be so disabled by the loss of either foot, hand, arm or leg, shall be exempt from paying of a poll tax.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 31, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER CCXII.

AN ACT to Amend an Act, entitled an Act to incorporate the Town of Huntington, in Carroll County, and for other purposes, passed January 1, 1850.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 10 of an Act, entitled an Act to incorporate the Town of Huntington, in Carroll County, and for other purposes, passed January 1st, 1850, be, and the same is hereby so amended, as to read, after the close of the second sentence in said Section 10: "*Provided*, that if the Mayor is incompetent, sick or absent, or from any other cause shall be unable to hear and try any cause over which he has jurisdiction, then the Recorder of said Corporation or any Magistrate residing within the same, may hear the same, and for which purpose full jurisdiction is herein conferred upon said Recorder."

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 31, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CCXIII.

AN ACT to compel Overseers of Public Roads to keep the same in good order.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Grand Juries in this State,

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shall have power to send for and examine witnesses, in all cases where they have good reason to believe that any overseer of a public road in their County has failed to keep the same in good repair as required by law, and whenever they are satisfied that such Overseer has failed to keep his road in good order they shall present the offender.

SEC. 2. *Be it further enacted*, That District Attorneys may file bills of indictment officially under this Act, without a prosecutor marked on the same, in all cases arising under this Act.

SEC. 3. *Be it further enacted*, That Overseers of roads presented under this Act, shall if convicted, be subject to the same penalties, that are now imposed upon them by law, for failure to perform their duty.

SEC. 4. *Be it further enacted*, That the Judge of the Circuit Courts of this State shall give this Act in charge of Grand Juries.

SEC. 5. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved, March 31st, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CCXIV.

AN ACT for the relief of C. J. Witt.

WHEREAS C. J. Witt, Tax Collector of Gibson County for the years of 1874 and 1875, by a mistake paid into the Treasury of the State a larger sum than was due to the State by him as such Collector, and said Witt is entitled to credits on his account with the State that he has never received; and,

WHEREAS, it appears that there is a deficit in the accounts of said C. J. Witt, with the County of Gibson; therefore,

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SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Comptroller draw a warrant on the Treasury of the State for the sum of two hundred and forty-nine dollars and seventy-seven cents, $249.77, payable to J. C. Long, as Trustee of Gibson County the proceeds of said warrant to be placed to the credit of the common school fund of said County, by said Trustee, and that said C. J. Witt have a credit for the amount of said warrant on what he is due said school fund as Collector aforesaid.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatices.

Approved March 31, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CCXV.

AN ACT for the benefit of Fielding Deaderick.

WHEREAS, on the 7th of August, 1868, Fanny Batchelor devised a house and lot situated in the County of Davidson, Tennessee, to Fielding Deadrick, Mary I. Batchelor and Fanny Batchelor for their joint use during the life of said Fielding, after his death for the benefit of the said Mary I. and Fanny, should Mary I. survive Fanny, then Fanny's interest should go to her child or children, should she leave such, but in the event of a failure of such, then the property to go to Mary I. That the Testatrix was the mother of Mary I. and the grand mother of Fanny, both of whom were illegitimates; that soon after the death of the Testatrix, Mary I. died unmarried intestate, and leaving but one child or children or issue, the said Fanny who subsequently died intestate, unmarried and without issue, leaving her surviving, the said Fielding Deaderick. That the house and lot afore-

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said has been sold for about $300, by the administrator of the said Fanny the grand daughter, aforesaid of the Testatrix and the bond is in the hands of W. F. Whiteman, as such administrator aforesaid. That the money to buy the property was furnished the Testatrix by the said Deadrerick; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the State of Tennesse hereby releases any interest it may have in the bond aforesaid, the said Fielding Deaderick, and the said W. F. Whiteman or any person who may have control of it is hereby directed to deliver it to the said Deaderick.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 21, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CCXVI.

AN ACT to remove the disabilities of W. J. Carney of Rutherford County, Tennessee.

WHEREAS, at the December term of the Criminal Court of Rutherford County, in the year 1878, W. J. Carney, a Justice of the Peace for said County was found guilty of having been in a state of intoxication, which under the statute is declared a misdemeanor in office, and said Carney was by the sentence of the Court forever disqualified from holding office under the Laws and Constitution of this State; and,

WHEREAS, all the good citizens of his neighborhood unite in petitioning this General Assembly to remove his disabilities; therefore,

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SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the disabilities of W. J. Carney, be aud the same are hereby removed, and he is hereby restored to all the rights, priviledges and prerogatives of citizenship.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 31, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CCXVII.

AN ACT to amend the Charter of Winchester so as to allow but one Alderman for each ward.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Act passed October 20th, 1821, entitled "An Act to incorporate the inhabitants of Winchester, in the County of Franklin," be and the same is here by so amended as to provide that only one Alderman shall be elected from each ward.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiriug it.

Passed March 28, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 31, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER CCXVIII.

AN ACT to facilitate the collection of State revenue.

WHEREAS, a large amount of revenue is annually lost to the State in consequence of the delinquency of various officers charged with the collection and payment thereof; and,

WHEREAS, cases arising in the Courts from this cause need a special attention and supervision, which under the present law cannot be given to them by the Comptroller,

Comptroller to employ Attorney to examine Collectors books etc.

Be it enacted by the General Assembly of the State of Tennessee, That the Comptroller of the Treasury is hereby authorized to employ an Attorney or Attorney's whom he may send into any County in the State with full power, and authority to examine and investigate the books and records of any officer charged with the duty of collecting revenue, derived from a State tax of any character.

Attorneys power to Sue for or Compromise demands against Collectors.

Be it further enacted, That it shall be the duty of the Comptroller to furnish the Attorney with certified copies of reports of State revenue collected or chargeable to the officers of any County into which the Attorney may be sent, and also with any other data or information which may facilitate his investigation, and the Attorney or Attornies so appointed shall have full power and authority to bring in the name of the State by motion or otherwise any and all suits necessary to inforce the collection of any revenue due the State, and to compromise and settle all suits for or on account of such uncollected revenue, with persons in default or their sureties, and to compromise and settle any and all claims against defaulting Revenue Collectors, Trustees or persons charged with the collection of State revenue or their sureties on any account whatever; *Provided*, that no settlement or compromise so made shall have any validity until approved by the Comptroller and Governor.

Compensation of Attorney.

Be it further enacted, That such Attorney or Attornies so employed, shall receive no compensation other than that allowed by the Comptroller, subject to the approval of the Governor to be paid out of any funds collected by them, which compensation shall not exceed

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fifteen per cent of the entire amount collected, to be retained by them or paid by the Comptroller out of the fund collected before payment into the State Treasury; *Provided*, that the provisions of this Act shall apply only to existing uncollected claims and revenue.

Be it further enacted, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved, March 31, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CCXIX.

AN ACT to amend Section 1, Chapter 120 Acts of 1871, with regard to the length of meridian lines.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 1, Chapter 120 of the Acts of 1871, passed December 13th, 1871, defining the length of meridian lines to be establised by said Act, be amended to read 114.6 poles, instead of 229,183,12, poles as appears in the printed Acts of that year.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 31, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER CCXX.

AN ACT to repeal Sections 1, 2, 3, 4, 5, 6, 7 and 8, of an Act chartering the incorporation of the Town of Maynardsville, in the County of Union, and State of Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 1, 2, 3, 4, 5, 6, 7 and 8, of an Act passed February 17th, 1870, chartering the incorporation of the Town of Maynardsville, in the County of Union, and State of Tennessee, be and the same is hereby repealed.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved, March 31, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CCXXI.

AN ACT to amend Section 542 of the Code so as to tax all interest paying State, County or Corporation bonds, owned by citizens of this State.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 5421, of the Code, Thompson and Steger's edition, be and the same is hereby so amended as to tax all interest paying State, County or Corporation bonds, owned by citizens of this State, as other personal property.

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SEC. 2. *Be it further enacted*, That all laws or parts of laws in conflict with this Act, be and the same are hereby repealed.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 31, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CCXXII.

AN ACT to amend Section 4160 of the Code, and allow judgment on set-off in a cross-action, when the plaintiff fails in establishing any demand.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 4160 of Thompson and Steger's Code, be so amended as to read, if the defendant pleads a set-off to the plaintiffs debt, and it appears that there is a balance due in favor of the defendant, the Justice or the Court trying the case shall enter up judgment in favor of the defendant, and against the plaintiff for such balance, and if the plaintiff fails in establishing any demand againts the defendant, the defendant shall have a judgment against the plaintiff for the amount which the proof upon his cross-action shows that he is entitled to with costs.

SEC. 2. *Be it further enacted*, That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 31, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER CCXXIII.

AN ACT to repeal the Act incorporating the Town of Savannah, Hardin County, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the all the Acts incorporating the Town of Savannah, in Hardin County, Tennessee, be and the same is hereby repealed.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 31, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CCXXIV.

AN ACT to change the time for holding tha Chancery and Circuit Courts of Marion County.

SECTION. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That hereafter the Chancery Court of Marion County, shall be held on the second Mondays of May and November, and all process now issued or that may be issued hereafter shall be returnable at the time herein prescribed for holding said Court.

SEC. 2. *Be it further enacted*, That hereafter the Circuit Court of Marion County shall be held on the Thursdays after the 4th Mondays of February, June and Octo-

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ber, and all process now issued or that may hereafter be issued, shall be returnable at the time prescribed for holding said Court.

SEC. 3. *Be it further enacted,* That all Acts or parts of Acts in conflict with this Act, be, and the same are hereby repealed, and that this Act take effect from and after the final adjournment of the first term of the Circuit Court of said County, hereafter to be held, the public welfare requiring it.

Passed March 28, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved, March 31, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CCXXV.

AN ACT to change the line of the Corporation of McMinnville.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the line of the corporation of McMinnville be so changed so as to include the residences of J. L. Garnett and J. H. Howard, as follows; (to wit;) beginning on the street leading towards Smithville, at the house of L. B. Waters and running thence to a stone or stake west of J. L. Garnett's, thence to the Round house, and from thence as the line now runs.

SEC. 2. *Be it further enacted,* This Act take effect from and after its passage.

Passed March 28, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved, March 31st, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER CCXXVI.

AN ACT to amend an Act entitled an Act to repeal the charter and abolish the incorporation of the Town of Jonesboro, Washington County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an Act passed February 25th, 1879, and approved by the Governor, February 27th, 1879, entitled an Act to repeal the charter and abolish the Corporation of the Town of Jonesboro, Washington County, be, and the same is amended as follows; that the Mayor and other officers of said Town shall by the first day of May 1879, deposit all books, papers and records belonging to their respective offices with the Clerk of the County Court of said County for safe keeping, and said Clerk shall keep said books, papers and records as other County records are kept.

Corporation Records deposited with County Court Clerk.

SEC. 2. *Be it further enacted*, That the Mayor and Alderman of said Town, are authorized to collect all back taxes that are now due, and to settle the indebtedness of said incorporation, and should there be any funds left after paying the debts of said incorporation, the same shall be paid to the Treasury of the School Board, for said Town of Jonesboro, to be used by the Board of School Directors as other school funds.

Debts and Taxes

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved, March 31, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER CCXXVII.

AN ACT to authorize the Counties of Knox and Roane to build Turnpikes, and charge toll thereon.

Counties may build.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Counties of Knox and Roane are hereby authorized and empowered to build Turnpikes or McAdamized roads in said Counties with and by the labor of convicts, (or workhouse hands).

Grade

SEC. 2. *Be it further enacted*, That said roads shall be graded to the width of not less than 16 no more than 22 feet, and covered with rock or gravel, not less than ten feet nor more than twenty feet in width, and of such thickness or depth as will form a good solid road.

Not required to rock certain parts.

SEC. 3 *Be it further enacted*, That where said roads cross ridges or run over other high or gravelly ground that can be kept in good order without being McAdamized the county shall not be required to rock such portions of road; *Provided*, they are kept in good condition.

County Court may appropriate money if ratified by voters.

SEC. 4. *Be it further enacted*, That the County Court of said Counties shall have the same power to build bridges on said roads as it now has for building bridges on the public roads of the Counties, but the County Court shall have no power to appropriate money for building of such roads, except so much as is actually necessary to utilize and facilitate the labor of the convicts, unless the Court first submit the question of the appropriation to the qualified voters of the Counties, and the same is ratified by two-thirds of the voters therein; the election to be advertised and held as the law now provides for the election of County officers.

SEC. 5. *Be it further enacted*, That Sections 1277, 1282 inclusive, of the Code of Tennessee, so far as applicable to this Act, shall apply to and be enforced as to the roads contemplated in this Act.

May erect toll-gates.

SEC. 6. *Be it further enacted*, That whenever the Counties shall have completed five miles of road in substantial compliance with this Act, the County Court may erect a gate and collect toll as at other toll-gates.

Rate of toll.

SEC. 7. *Be it further enacted*, That the said Court shall regulate the rate of toll; *Provided*, they shall have

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no power to establish a higher rate of toll than that fixed by law for toll-gates now existing in said Counties.

SEC. 8. *Be it further enacted*, That for each additional five miles of road the Counties may complete, in accordance with this Act, they may erect a gate and charge toll, as provided for in Section 7 of this Act.

Power of County Court.

SEC. 9. *Be it further enacted*, That the County Courts of said Counties of Knox and Roane shall have full power to employ agents and establish and enforce such rules and regulations as may be necessary for the carrying out the object of this Act; *Provided*, that any turnpike company now in existence in said Counties shall be entitled to all the rights and privileges granted by this Act, and that this Act shall not be construed to the prejudice of any such turnpike company now in existence in Knox County; *Provided*, that the toll-gates on said roads shall not be nearer the corporate limits of the City of Knoxville and Kingston than one and one-fourth miles.

Proviso.

SEC. 10. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 31, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CCXXVIII.

AN ACT for the prevention of fraud in the sale of Patent Rights in this State.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That hereafter whenever a note or other written security, is given in this State, in the pur-

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chase of a patent right or any interest therein, and this fact shall appear in the face of the note or other written security, the same shall be subject in the hands of any holder or assiguee to all the legal and equitable defences, to which it was subject in the hands of the original payee.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved Mareh 31, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CCXXIX.

AN ACT to abolish the Corporation of Cookeville.

SECTION 1. *Be it enacted by the General Assembly of* the *State of Tennessee,* That so much of an Act passed by the General Assembly of Tennessee, on the 14th of February, 1856, entitled, "An Act to incorporate the Town of Cookeville, in the County of Putnam, and for other purposes," and particularly the 1st Section of said Act, be, and the same is hereby repealed, and said Corporation of Cookeville abolished.

SEC. 2. *Be it further enacted,* That all laws or parts of laws in conflict with this Act, be, and the same are hereby

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repealed, and that this Act take effect from and after its passage, the public weltare requiring it.

Passed March 28, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 31, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CCXXX.

AN ACT to limit the jurisdiction of the Bartlett Circuit Court of Shelby County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the jurisdiction of the Bartlett Circuit Court of Shelby County is hereby withdrawn from all portions of the County south of Wolf river, in which it has heretofore exercised the same,and hereafter the jurisdiction of the said Court shall be exercised in and limited to that portion of Shelby County lying north of Wolf river; *Provided,* that this Act shall not effect suits already brought in said Barlett Circuit Court.

SEC. 2. *Be it further enacted,* That all laws or parts of laws in conflict with this Act, be and the same are hereby repealed.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 31, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER CCXXXI.

AN ACT to repeal an Act passed December 4th, 1843, incorporating the Town of LaFayette.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an Act passed December 4th, 1843, entitled, An Act to incorporate the Town of LaFayette, in the County of Macon, be and the same is hereby repealed, and all laws and parts of laws pertaining to said Corporation be and the same are hereby repealed, and said Corporation abolished.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 31, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CCXXXII.

AN ACT to repeal an Act entitled an Act, to incorporate the Town of Hartsville, in the County of Sumner.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Corporation of the Town of Hartsville, in the County of Trousdale, be, and the same is hereby abolished.

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SEC. 2. *Be it further enacted,* That the Charter of the Town of Hartsville,, the County Site of the County of Trousdale, shall hereafter be held as naught, and the Mayor and the Board of Aldermen of the Town of Hartsville, are hereby divested of all power as a corporate body and the inhabitants of the Town of Hartsville, shall no longer be held or constituted a Corporation and body politic.

SEC. 3. *Be it further enacted,* That Sections 1, 2, 3, of an Act entitled, an Act to incorporate the Town of Hartsville, formerly in the County of Sumner, but now the County site of the County of Trousdale, be, and the same is hereby repealed.

SEC. 4. *Be it further enacted,* That the Town of Hartsville shall be entitled to all the benefits of a taxing district, should the citizens thereof see proper to avail themselves of such benefit.

SEC. 5. *Be it further enacted,* That this Act take effect from and after its passage.

Passed March 28, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 31, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CCXXXIII.

AN ACT to repeal an Act, passed October 26, 1843, incorporating the Town of Dandridge, Jefferson County, and to repeal Section 2 of an Act, passed February 24, 1854, and to abolish the Corporation of the Town of Dandridge.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That an Act passed October 26th, 1843, entitled an Act to incorporate the inhabitants of

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the Town of Dandridge, Jefferson County, be, and the same is hereby repealed

SEC. 2. *Be it further enacted,* That Section 2 of an Act, passed February 24th, 1854, extending the corporate limits of said Town of Dandridge, be, and the same is hereby repealed.

SEC. 3. *Be it further enacted,* That the Charter of the Town of Dandridge, Tennessee, is hereby repealed, and the Corporation of the said Town abolished.

SEC. 4. *Be it further enacted,* That the Mayor and other officers of said Town shall, within thirty days after the passage of this Act, deposit all books, records and papers, belonging to their respective offices, with the County Court Clerk of said County, and said Clerk shall keep and file said books, records and papers, as other records are kept.

SEC. 5. *Be it further enacted,* That this Act shall take effect from and after its passage, the public welfare requiring it; *Provided,* that nothing in this Act shall be so construed as to annul any existing or outstanding contracts of said Corporation authorities.

Passed March 28, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 31, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CCXXXIV.

AN ACT to abolish the Corporation of Sparta.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That so much of an Act passed by the General Assembly of this State on the 28th of December, 1841, entitled, An Act to incorporate the inhabitants of

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the Town of Lewisburg, in the County of Lincoln, as incorporates the Town of Sparta, in the County of White, be and the same is hereby repealed.

SEC. 2. *Be it further enacted,* That so much of the Act passed 15th January, 1844, authorizing the County Court to define the limits of such corporation, and of the Act passed January 31st, 1846, defining such limits, and all other Acts or parts of Acts, in conflict with this Act, be and the same are hereby repealed.

Passed March 28, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 31, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CCXXXV.

AN ACT to change the lines between the Counties of Franklin, Coffee and Grundy.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the lines between the Counties of Franklin, Coffee and Grundy, at their intersection on Elk River, be changed as follows, to-wit:

Beginning at a stake in the line between Coffee and Grundy, 20 yards north of Elk River, and running thence west to the north end of the bridge crossing Elk River; thence with the center of said bridge to the south end of said bridge; thence to a stake in the old line, 15 yards south of said river, so as to place the said bridge on the lines between said Counties of Coffee, Franklin and Grundy.

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SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 31, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CCXXXVI.

AN ACT to define Warehousemen, to regulate their duties, and to affix penalties for the violation thereof, and relating to their receipts.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That hereafter in this State every and all person or persons, firms, companies or corporations, who shall receive cotton, tobacco, corn, wheat, rye, oats, hemp, whisky, or any kind of produce, wares, merchandise, or any description of personal property, in store, for hire, or who shall undertake to receive, and take care of, or to sell the same for other persons, shall be deemed and taken to be a warehouseman. Who warehouseman.

SEC. 2. *Be it further enacted*, That no warehouseman shall issue a receipt for cotton, tobacco, grain, hemp, whisky, or any kind of produce, wares, merchandise, or any description of personal property, unless such produce or personal property be in the custody of such warehouseman, and in store, or upon the premises, and under his control of at the time of issuing such receipt. No receipt for produce till delivered.

SEC. 3. *Be it further enacted*, That no warehouseman shall issue any second or duplicate receipt while any former receipt for the same produce, or other personal property, or any part thereof, shall remain outstanding or un- Duplicate receipts to be marked.

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cancelled without writing or stamping plainly across the face of the same the word "duplicate."

Shall hold produce or proceeds subject to receipt.

SEC. 4. *Be it further enacted*, That no warehouseman shall sell or encumber, ship, transfer, or in any way remove, or permit to be removed, transferred or shipped beyond his control anything hereinbefore mentioned, for which a receipt shall have been given by him until the receipt for the same be surrendered to and cancelled by him.

Warehouse receipts made negotiable.

SEC. 5. *Be it further enacted*, That all receipts issued by any warehouseman for cotton, tobacco, grain, hemp, whisky, or any kind of produce, wares, merchandise, or any description of personal property, shall be and they are hereby made negotiable by written endorsements thereon and delivery in the same manner and to the same intent as bills of exchange and promissory notes, and any person or persons to whom the same may be transferred *bona fide*, and for value received, shall be deemed and taken to be the absolute owner of the produce, wares, merchandise, or other personal property therein specified, and no clause, condition or limitation, either written or printed, in said receipt shall be held to limit their negotiability or to affect the right of the holder or holders thereof; *Provided*, however, that all such receipts which shall have the words "not negotiable" plainly written or stamped thereon shall not be subject to the provisions of this Act.

Advances.

SEC. 6. *Be it further enacted*, That no warehouseman shall pledge, hypothecate or negotiate any loan upon any receipt for produce, merchandise, or other personal property, to a greater amount than he has actually paid or advanced thereon.

Crime, penalty and civil liability.

SEC. 7. *Be it further enacted*, That any warehouseman who shall violate any of the provisions of this Act shall be deemed guilty of a criminal offence, and upon indictment and conviction thereof shall be fined in any sum not exceeding five thousand dollars, or shall be punished by imprisonment in the Penitentiary of the State for not more than five years, or both, in the discretion of the jury trying the case, and every and all person or persons aggrieved by the violation aforesaid, shall have the right to maintain an action at law against the person or persons, corporation or corporations, violating any of the provisions of this Act, to recover damages which he or they may have sustained by reason of such violation as aforesaid, before any Court of competent jurisdiction, whether such person or persons aforesaid shall have been convicted of a criminal offence under this Act or not.

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SEC. 8. *Be it further enacted,* That Chapter XCIV of the Public Acts of 1875, entitled, An Act to define the rights and duties, and regulate the liabilities of warehousemen and factors, be and the same is hereby repealed.

SEC. 9. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 31, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CCXXXVII.

AN ACT to prohibit minors from playing at Billiards, Pool or Ten Pins.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That any proprietor of a billiard table, ball pool table, pin pool table, or ten pin alley in this State who shall permit any minor to play at billiards, ball pool, pin pool or roll at ten pins, shall be guilty of a misdemeanor, and on conviction thereof, shall be fined not less than fifty nor more than two hundred dollars, to be sued for and recovered by the parent or the guardian, before any Court of Justice having jurisdiction over the same, one-half of the amount recovered to go to the parent or guardian, the other half to go to the common school fund; *Provided,* that the parent or guardian shall have first given notice in writing to the proprietor of such tables and ten pin alleys, not to allow or permit his or her son or ward, to play at said game.

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SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 31, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CCXXXVIII.

AN ACT to regulate the erection of Tollgates on Turnpikes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That in all cases where the points or distances required by law for the erection of tollgates, shall be in front of residences or other buildings, or inconvenient on account of fills, cuts or swamps, for the erection of the necessary buildings for said tollgates, the turnpike companies of this State shall have the right to erect or remove said tollgate to any points on either side of the place required by law within one-quarter of a mile of the same, so as not to interfere with or charge for travel on any road or roads now open or hereafter to be opened according to law, coming into said turnpikes within the space embraced by the removal of the gate; *Provided,* that no turnpike company shall be entitled to the provisions of this Act that hereafter charges toll to persons going to mill, to church or to election.

SEC 2. *Be it further enacted,* That all laws and parts of laws in conflict with this Act, be, and the same are here-

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by repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 31, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CCXXXIX.

AN ACT to regulate the location of tollgates on turnpike roads when one turnpike intersects another at or near a tollgate.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That in all cases where one turnpike road intersects another at or near a tollgate, which tollgate having been located under and by virtue of a Charter previously granted, the two turnpike companies, by agreement with each other, may erect a tollgate on the turnpike last constructed at the place of intersection, upon the following conditions:

1st. That the two turnpike companies shall agree not to charge, and shall not demand but one toll for traveling through the gates of both roads, at the place of intersection.

2nd. That no other gate shall be erected on the turnpike last constructed nearer than four miles of the place of intersection, and if already erected, shall be moved so as to conform to the terms of this Act.

SEC. 2. *Be it further enacted,* That whenever any turnpike company shall avail themselves of the terms of this Act, they shall make a memorandum thereof in writing, signed by the Presidents and Secretaries of the respective companies and shall be registered in the Register's office of the County where the two turnpikes intersect.

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SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1879.

H. P. FOWLKES,
Speaker af the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 31, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CCXL.

AN ACT to provide revenue for the State of Tennessee and the Counties thereof.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the State tax on every one hundred dollars worth of taxable property shall be ten cents for the year 1879, and for every subsequent year thereafter.

SEC. 2. *Be it further enacted*, That Section 2 of Chapter 81, of the Acts of 1877, entitled An Act to provide revenue for the State of Tennessee and the Counties thereof, be, and the same is so amended as to read as follows, that the several County Courts of this State are authorized and empowered to levy an annual County tax not to exceed thirty cents on every one hundred dollars worth of taxable property for general County purposes.

Passed March 29, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 31, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER CCXLI.

AN ACT for the relief of F. M. Davis, Tax Collector of Marshall County, for the years 1873 and 1874.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Comptroller of the State of Tennessee, be, and he is hereby directed, to issue his warrant on the Treasurer of this State for the sum of $225, in favor of F. M. Davis, Tax Collector for Marshall County, for the years 1873 and 1874, as indemnity for losses sustained by him as such Tax Collector.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 29, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 31, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CCXLII.

AN ACT to increase the facilities of transportation on common and Macadamized roads and other highways of the State.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That hereafter it shall be lawful to propel by steam upon the public highways and Macadamized roads, wagons, carts and other vehicles, for the

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Steam wagons.

purpose of carrying passengers and for the transportation to markets of products of the soil, manufactures, mines and all other goods, wares and merchandise, which is now lawful to carry upon any railroad in this State.

To run only at night.

SEC. 2. *Be it further enacted*, That any such vehicle so propelled by steam, shall be allowed to pass through any tollgate on any Macadamized road in this State, upon the payment of double the toll now charged on such road for four-horse vehicles; *Provided*, that such engine propelling such vehicle shall be controlled and directed by a competent engineer and; *Provided, further*, that the same shall only be used upon the public highways between the hours of 9 o'clock P. M. and 4 o'clock A. M., and that posters be put up at all important intersections of other roads with the road to be used, at least twenty days before said steam wagon shall be run upon any such road.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 29, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 31, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CCXLIII.

AN ACT to abolish the Corporation of the Town of Liberty, and to repeal all Acts and parts of Acts incorporating the Town of Liberty.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That so much of an Act entitled, an Act to incorporate the Town of Liberty, in the County of DeKalb, be, and the same is hereby repealed, and the Charter of the said Town of Liberty, in the County

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of DeKalb, surrendered, and the Corporation of the said Town of Liberty abolished.

SEC. 2. *Be it further enacted*, That all acts or parts of acts, in conflict with the First Section of this Act, be, and the same is hereby repealed.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 29, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 31, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CCXLIV.

AN ACT to repeal the Charter of the Town of Statesville.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That so much of an Act passed October 27th, 1819, entitled, "An Act to alter the name of Maryville, in Wilson County, and for other purposes" as has reference to the incorporation of the Town of Statesville, be, and the same is hereby repealed.

SEC. 2. *Be it further enacted*, That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed March 29, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 31, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER CCXLV.

AN ACT to Repeal an Act passed March 23, 1877, and to amend the Revenue Laws of the State, and to amend the Act passed March 23, 1875, entitled an Act to more cheaply collect the State, County and Municipal revenue.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That an Act passed March 23, 1877, and to amend the Act passed March 23, 1875, entitled "An Act to more cheaply collect the State, County and municipal revenue, making it the duty of Trustee to swear that he has been on the premises, and made diligent search for goods and chattels, be, and the same is hereby repealed.

Trustee relieved from search.

SEC. 2. *Be it further enacted,* That hereafter it shall be the duty of each Constable or Sheriff, or any Deputy Revenue Collector, to accompany his report made to the Trustee, with an oath, that he has made diligent search and has not been able to find any personal property by which he could make the taxes and costs, on any tract of land in this report to the Trustees, if any Constable or Sheriff, or any Deputy Revenue Collector fail to make diligent search, he shall be guilty of a misdemeanor.

Sheriff or Constable to make oath of search.

SEC. 3. *Be it further enacted,* That when said reports are made to the Trustee he shall proceed to advertise all real estate to be sold for taxes for thirty days before the day of sale in the manner following: Delinquents take notice. On the first Monday in January, of each year, at the court-house door in (here name the County town) I will offer for public sale, the real estate belonging to delinquent tax-payers, which real estate can be seen upon my books in my office. Signed by the Trustee.

Trustee to advertise sale of land.

This notice shall be inserted once per week for four weeks in some newspaper published in the County, and if none be so published, then it shall be the duty of the Trustee to publish said notice at the court-house door, for four weeks.

SEC. 4. *Be it further enacted,* That the printer's fee for inserting the above notice shall not exceed five dollars for the four weeks insertion of the notice, said fee to be paid by the State.

Printer's fees.

SEC. 5. *Be it further enacted,* That the clerk of the

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court be allowed the sum of one dollar for each tract or lot of land in the Trustee's report, for docketing the same, which shall, in no case, be paid by the State or County, but the clerk may collect the same of the delinquent tax-payer; *Provided*, the State has never before paid on any of said tracts or lots of land in the Trustee's report, unless the same has been redeemed from the State and sold again. Clerk's fees.

SEC. 6. *Be it further enacted*, That it shall be the duty of each Trustee in the State, in making his reports of delinquent lands, to give the following description of all tracts or lots of land in his report to-wit: One tract or lot of land of —— acres, lying in the civil district No. ——, valued at $——, taxes ——. Clerk's fees $1, Trustee's fee fifty cents; total $——. This description shall be a sufficient one, and all the one required to be made by the Trustee. Trustees Report for condemnation.

SEC. 7. *Be it further enacted*, That each Trustee shall embrace the printer's cost together with the report, and certify that said report is a full and correct list of all delinquent tracts or lots of land on his tax books, and that he has knowingly reported no lands where the taxes could be made out of personal property.

SEC. 8. *Be it further enacted*, That all laws in conflict with this Act be, and the same are hereby repealed.

SEC. 9. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 29, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 31, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CCXLVI.

AN ACT Prescribing the duties of the Comptroller in certain cases.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Comptroller is hereby

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directed and authorized to allow the reports of such Revenue Collectors as have made reports to the Circuit Court of their County, and have been confirmed by the Court; *Provided* he allows them no credit except on such tracts as are certified by the Circuit Court Clerk, that said tracts were bid off to the Treasurer and judgment of confirmation rendered by the Court.

To credit Collectors in certain cases.

Construction.

SEC. 2. *Be it further enacted*, That this Act is not to be construed to give the Comptroller power to release any Revenue Collector in the State, of any taxes collected and not paid into the Treasurer, but to give the Comptroller power to release said Collectors of such amounts as are assessed against them, and that no personal property could be found by which the taxes can be made.

Construction.

SEC. 3. *Be it further enacted*, That this Act is not to give the Comptroller power to pay any money on his warrant out of the Treasurer to any Collector, Printer or Clerk, but to release him by giving a credit in his books for such taxes as said Collector has reported as bid off to the Treasurer, on account of not being able to find any personal property by which he could make said taxes on any tract of land in his report, as confirmed by the Circuit Court of his County.

SEC. 4. *Be it further enacted*, That this Act take effect from and after its passage.

Passed March 29, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 31, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CCXLVII.

AN ACT to repeal the Act incorporating the Town of Greeneville, and to provide for Liquidating the debt of the same.

Charter Repealed.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Act incorporating the Town of Greeneville, in the County of Greene, and State

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of Tennessee, and all subsequent Acts or parts of Acts relating thereto, are hereby repealed. J. G. Gass, Wm. A. Allen and Wm. R. Brown, of said town, are hereby appointed Commissioners, in lieu of the present Mayor and Aldermen of said town, with the same powers granted by said Act of incorporation or subsequent Acts, to levy and collect taxes, and to collect all taxes and dues for the year 1879, as well as all previous dues and unpaid taxes, and they are hereby empowered and authorized to take charge of all the books, papers, property and means now owned by said corporation, and to sell for cash to the highest bidder, all property owned by said corporation, and with the funds arising from said taxes and sales, they shall liquidate all just debts of said corporation as speedily as possible, and after said debts shall have been liquidated said Commissioners shall return to the Clerk of the County Court all books and papers of said corporation, with their own proceedings and settlements, and said Clerk of the County Court of said County of Greene, is hereby required to receive said books, papers and settlement, and safely deposit the same in his office. Commissioners to wind up Corporation.

SEC. 2. *Be it further enacted*, That said Mayor and Aldermen are hereby required to hand over to said Commissioners on demand, all of said books, papers, property and other means of said corporation, taking their receipt for the same. Commissioners to receive books etc.

SEC. 3. *Be it further enacted*, That the compensation of said Commissioners for such services, shall be ten per cent. of all the funds applied toward the liquidation of such debts, to be paid out of the moneys coming into their hands. Compensation

SEC. 4. *Be it further enacted*, That in the event said Commissioners shall fail or refuse to accept said appointment, then, in that event, the County Court of Greene County, shall appoint competent persons in their stead, and in case of a vacancy by resignation or otherwise, of any one member of said Board, such vacancy shall be filled by the remaining members of said Board; said Commissioners shall execute bond with security, approved by the Clerk of the County Court, in double the sum of the indebtedness of said corporation, for the honest and faithful performance of their duties, and the same shall be as binding in law or equity as any other bond executed. Vacancies. Bonds.

SEC. 5. *Be it further enacted*, That this Act take ef-

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fect from and after its passage, the public welfare requiring it.

Passed March 29, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 31, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CCXLVIII.

AN ACT to repeal certain Acts relating to debts of Municipal Corporations.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Chapter 71 of the Acts of 1877, entitled "An Act to enable municipal corporations having more than 35,000 inhabitants to settle their indebtedness," is hereby repealed, and that Chapter 10 of the Acts of 1877, entitled "An Act, to authorize municipal corporations to settle their indebtedness," shall have no application to the municipal corporations whose charters have been repealed, and as to them, the said Chapter 10 is hereby repealed.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 31, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 31, 1879.

ALBERT S. MARKS.
Governor.

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CHAPTER CCXLIX.

AN ACT to amend an Act entitled an Act, "To amend an Act entitled an Act to establishTaxing Districts in this State and to provide the means of Local Government for the same," passed March 12, 1879, approved March 13, 1879."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the 12th Section of an Act entitled an Act, to establish taxing districts in this State and to provide for the Local Government of the same, passed March 12, 1879, approved March 13, 1879, be amended as follows: In line 16 of engrossed copy of the bill, strike out after the word corporation the following six words—"from which it has been collected."

SEC. 2. *Be it further enacted,* That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed March 31, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 31, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CCL.

AN ACT to amend the Charter of the Town of Edgefield, in the County of Davidson, incorporated under the Code of Tennessee, and amended by an Act of the General Assembly of the State of Tennessee, passed February 20, 1870.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the charter of the Town of Edgefield, in the County of Davidson, incorporated under the Code of Tennessee and amended by an Act of the General Assembly, Chapter 72, passed February 20, 1870,

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City of Edgefield.

be, and the same is hereby so amended, that said town shall hereafter be known and styled, the City of Edgefield, and that the Mayor and Aldermen of said city to be hereafter elected, shall hold their office for a term of two years, as herein provided.

First Election and term of Mayor and Aldermen.

SEC. 2. *Be it further enacted*, That the first election under this Act for Mayor and Aldermen of said city, shall be held on the first Monday in April, 1880, at which time the Mayor, and one Alderman from each ward, shall be elected for a term of two years next ensuing, and one Alderman from each ward for a term of one year. The candidates for Aldermen receiving the highest number of votes cast at said election in their respective wards, shall be elected for the long term, and those receiving the next highest number, shall be elected for the short term.

Subsequent elections.

SEC. 3. Be *it further enacted*, That the present incumbents of the offices of Mayor and Aldermen shall hold over until their successors are elected and qualified, as provided in Section 2 of this Act, and that all subsequent elections for Mayor shall be held biennially, and for Aldermen, annually thereafter, but only one Alderman from each ward in said city shall be elected at such election, who shall hold for a term of two years.

City Attorney.

SEC. 4. *Be it further enacted*, That said Board of Mayor and Aldermen shall elect an Attorney to the city, whose duties shall be defined, by an ordinance of said Board, and who shall be when elected, a regular practicing attorney, and a resident of said city.

City officers.

SEC. 8. *Be it further enacted*, That the Mayor and Aldermen are hereby vested with power by ordinance, to fix the term of office of any or all of the city officers to be elected by the Board of Mayor and Aldermen of said city.

SEC. 6. *Be it further enacted*, That so much of the charter of said city, with its amendments, as are in conflict with the provisions of this Act be, and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 31, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 31, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER CCLI.

AN ACT to abolish the corporation of Sevierville.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Chapter 243 af an Act passed January 7th, 1850, so far as it applies to the incorporation of the Town of Sevierville, and that Sections 16 and 17 of an Act passed January 30, 1850, enlarging the corporate limits of said town, be, and the same are hereby repealed, and the public welfare requiring it, this Act shall take effect from and after its passage.

Passed March 31, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved. March 31, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CCLII.

AN ACT to amend an Act passed September 12, 1806, entitled "An Act for the appointment of a Register of the land office, and providing for the sale of the land south of Holston and French Broad, ag eeable to the Constitution of this State, and the provisions of Act of Congress therein referred to."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That so much of an Act passed September 12th, 1806, as relates to the bond of said Registers of the land office, be so amended that the Register shall be required to give good bond in the sum of $2,500 with good security for the faithful performance of his duty.

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SEC. 2. *Be it further enacted,* That all laws or parts of laws in conflict with this Act be, and the same are hereby repealed.

SEC. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 31, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved, March 31, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CCLIII.

AN ACT to declare in full force and effect Section 39, of an Act passed by the General Assembly of the State of Tennessee on the 29th day of January, 1858, Chapter 42, by which Section it was enacted that the railroad authorized by that Act, to wit; the Mississippi River Railroad should be commenced within seven years after the passage of that Act, and should be finished within twelve years thereafter, otherwise the charter therein granted should be void, and to repeal all laws passed by the General Assembly of the State of Tennessee, in conflict with said Section 39, of said Act.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 39, of the Act passed by the General Assembly of the State of Tennessee, on the 29th day of January, 1858, Chapter 42, providing for the incorporation of the Mississippi River Railroad Company, and for other purposes, be and the same is hereby declared to be in full force and effect, and all laws and parts of laws in conflict with said Section 39 of the said Act, passed 29th, January 1858, Chapter 42, be, and the same are hereby repealed; *Provided,* that the foregoing provisions of this Section are not intended to repeal, an Act passed on the 19th day of March, 1877, Chapter 17, entitled an Act to extend the time allowed for the completion of the unfinished Railroads in the State.

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SEC. 2. *Be it further enacted,* That this Act shall take effect, and be in full force on the first Monday in September, 1880, unless that part of the railroad located from Trimble Station Tennessee, to Covington, Tennessee, now unfinished, is completed by that time, and in good running order for trains to pass over, but if it is not so completed, the charter by virtue of which the road is operated is to be void, and the company or association of men owning said road is to have no legal existence as a corporate body under any law of this State.

Passed March 31, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES.
Speaker of the House of Representatives.

Approved, March 31, 1879,
ALBERT S. MARKS.
Governor.

CHAPTER CCLIV.

AN ACT to abolish the corporation of Coal Creek.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the corporation of said Town of Coal Creek, be, and the same is hereby annulled.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 31, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved, March 31st, 1879.
ALBERT S. MARKS.
Governor.

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CHAPTER CCLV.

AN ACT to repeal Sections 39, 40, 41, 42, 43, 44, 45, 46, 47, 48 and 49, of an Act, entitled an Act to review and put in full force and effect the powers and privileges granted John C. Vaughan, David Cunningham, David E. Hedgecock and John Prock, of Monroe County, to open and keep open a Turnpike Road, and for other purposes passed February 25, 1870.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Sections 39, 40, 41, 42, 43, 44, 45, 46, 47, 48 and 49, of Chapter 69, of an Act passed February 25, 1870, be, and the same are hereby repealed.

SEC. 2. *Be it further enacted,* That this Act shall take effect from and after the first day of January, 1880.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved, March 31, 1879.

ALBERT. S. MARKS,
Governor.

CHAPTER CCLVI.

AN ACT to protect the public.

Misdemeanor to throw rocks at cars, etc.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be a misdemeanor for any person wantonly or maliciously to throw any stone, wood or other thing against or into any steamboat, railway car, omnibus or wagon, or any other vehicle or carrige used for conveyance of passengers, or upon or in which any person may be, and upon conviction, the

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offender shall be punished by fine, not less than ten nor more than one hundred dollars, and may be imprisoned not exceeding one year.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 31, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 31, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CCLVII.

AN ACT to amend Section 16 of an Act passed February 23, 1856, constituting and incorporating certain parties therein named a body corporate by the name and style of the Hartsville Female Institute, so as to allow it to take the name of the "Hartsville Masonic Institute," and to grant males the same privileges in the Institute as females, and to authorize sale of the Male Academy, at Hartsville, and invest the proceeds for educational purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 16 of an Act passed February 23, 1856, which Section constituted and incorporated certain parties therein named a body, corporate by the name and style of the Hartsville "Female Institute" be so amended as to change the name from the "Hartsville Masonic Institute," and said corporation as their successors as a body corporate under the name of the Hartsville Masonic Institute, shall have and possess all the powers, privileges, and rights conferred and given in Sections 17, 18, 19, 20, 21 and 22, and in addition, the power to grant males the same privileges in the Masonic Institute as females.

SEC. 2. *Be it further enacted*, That the Board of Trustees of the Hartsville Male Academy of Trousdale Coun-

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ty, be, and they are hereby authorized and empowered to sell said Academy and all its property, and reinvest the same for such educational purposes as they may desire.

SEC. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 1, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved April 1, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CCLVIII.

AN ACT to change the lines between Hawkins and Hancock Counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the County line between the Counties of Hawkins and Hancock be so changed as to [run] with and on the top of Copper Ridge, beginning on the Grainger County line, beginning on top of Copper Ridge opposite Flat Gap; thence east with the top of the same to Curnen Anderson, from thence so as to leave said Anderson's farm in Hawkins County; thence east with the top of said Copper Ridge to the present County line.

New line.

SEC. 2. *Be it further enacted,* That hereafter all persons living, and all land lying north and west of said line on the top of Copper Ridge, mentioned and described in the first Section of this Act, which before its passage were in Hawkins County shall be deemed to reside and be in Hancock, and all persons living south and east of said line, and all lands south and east thereof, which before the passage of this Act were in Hancock County shall be deemed to reside and be in Hawkins County; also the dwellings and all lands of Daniel Lovin, now of Hancock.

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SEC. 3. *Be it further enacted*, That nothing in this Act shall be so construed as to prevent the Revenue Collectors of said Counties respectively from collecting any taxes already assessed against persons or lands in the same manner and under the same process of law as if the change in the line between the two Counties had not been made by Section first of this Act. Old Counties to collect Revenue.

SEC. 4. *Be it further enacted*, That all future assessment of taxes against persons or lands shall be made by the proper officers of the respective Counties, and the taxes collected in pursuance of such assessments with reference to this change in the line between the Counties of Hawkins and Hancock.

SEC. 5. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it; *Provided*, that this Act shall not take effect if the change of the County lines as contemplated by this Act shall reduce the County of Hawkins below its constitutional limits, and that the citizens of Hawkins embraced by the provisions of this Act shall not be attached to Hancock County until it is ascertained by an actual survey of Hawkins County so as to determine whether the change contemplated by this Act will reduce Hawkins below the constitutional limits, that if any of the citizens of said Hawkins County desire a survey so as to ascertain whether the County of Hawkins will be reduced below its constitutional limits by the change of the County lines as provided for by this Act, the party so applying for said survey shall pay all the expenses incurred thereby. Proviso.

Passed April 1, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.
Approved, April 1, 1879.
ALBERT S. MARKS,
Governor.

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CHAPTER CCLIX.

AN ACT to amend an Act passed March 21, 1873, to protect farmers and stock raisers,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 1987 of the revised Code of Tennessee, be, so amended as to read, ten months instead of five months, in the fifth line of said Section.

SEC. 2. That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 31, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved, March 31, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER CCLX.

AN ACT to change and fix the time for electing Mayor and Aldermen of the Town of McMinnville.

SECTION 1. *Be it enacted by the General Assemby of the State of Tennessee*, That the Acts of the General Assembly creating the corporation of the Town of McMinnville, be so amended that all elections hereafter held to elect Mayor and Alderman for said town, shall be held on the first Saturday after the first Monday in May, and the next election shall be held in 1880, and the Mayor and Aldermen now elected shall hold their office until their successors are qualified.

Passed April 1, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved, April, 1, 1879.

ALBERT S. MARKS,
Governor.

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CHAPTER CCLXI.

AN ACT to defray the Current Expenses of this General Assembly, and to defray the Current Expenses of the State Government for the next two years.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That, to defray the current expenses of this General Assembly, and to defray the current expenses of the State Government for two years, commencing March 19, 1879, and ending March 19,1881, the following appropriations are made for the following purposes, and none other, which are to be paid out of the Treasury, on the warrant of the Comptroller, or so much thereof as may become necessary in the administration of the State Government.

CRIMINAL PROSECUTIONS.		
Fees of clerks, magistrates, sheriffs, witnesses, etc..	$ 200,000	
District Attorneys Generals	20,000	
Boarding juries	24.000	
Jail fees	100,000	$ 344,000
Lunatics to asylum	.....	600
Arresting fugitives	.....	4,000
JUDICIAL SALARIES.		
Supreme Judges, each $4,000	40,000	
Chancery Court Judges, each $2,500	60,000	
Circuit " " each 2,500	80,000	
Criminal " " each 2,500	10,000	
Criminal Court Judges, each 1,800	7,200	
Common Law and Chancery Judges, each $2,000...	4,000	201,200
Salary of Attorney Gen'l and Reporter, ea $3,000.	.....	6,000
EXECUTIVE SALARIES.		
Governor, at $4,000 per annum	8,000	
Comptroller, at $2,750 per annum	5,500	
Treasurer at $2,700 " "	5,400	
Secretary of State, $1,800 per annum	3,600	22,500
Salary of Adjutant General, $1,200	.....	2,400
" " Sup't Hospital for Insane, $2,000	.....	4,000
" " State Librarian, $1,000	.....	2,000
" " Superintendent of Capitol, $600	.....	1,200
OFFICERS OF PENITENTIARY.		
Salary of Superintendent, $1,800	3 600	
" " Warden, $1,000 per annum	2,000	
" " Deputy Warden, $800 per annum	1 600	
" " Surgeon, $1,000 per annum	2,000	
" " Chaplain, $300 " "	600	9,800
CHARITABLE INSTITUTIONS.		
Hospital for the Insane, $45,000 per annum	90,000	
School for Blind, Act March, 1868, $5,000 per an..	10,000	
School for Blind, Act March, 1867, per capita allowance of $200 per annum. No. of pupils estimated at sixty	24,000	
School for Deaf and Dumb, Act March 26, 1866, $5,000 per annum	10,000	
Per capita allowance of $200 per annum—number of pupils estimated at 100	40,000	174,000

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LEGISLATIVE EXPENSES.		
Mileage and per diem of members (see schedule)		
Mileage and per diem of officers (see schedule)....		
Miscellaneous: printing, stationery, fuel, postage, etc.....	$ 6,000	
EXECUTIVE EXPENSES.		
Clerks' hire for Comptroller's office.....	2,000	
Books, blanks, stationery, etc., for 4 offices, $1,000.	2,000	
Porter to Governor and Secretary of State, $35 per month.....	840	$10,840
CAPITOL EXPENSES.		
Two porters, each $20 per month.....	960	
One night watchman, $30 per month.....	720	
Fuel $750, gas $250, water tax $250.....	1,250	
Furniture and repairs of building and grounds and for landscape gardner, as often as one is needed, $500.....	1,000	3,930
BUREAU OF AGRICULTURE, STATISTICS AND MINES.		
Salary of Superintendent for two years, $4,000.....		
" " Clerk for two years, $1,200.....		
To carry out the object of the Bureau under the Act creating it, not including traveling expenses for two years, $8,000.....		
Total for two years.....	16,000	
Supreme Court expenses $4,000.....	8,000	
Express charges on money from collecting officers.	1,500	
Tax aggregates.....	2,200	
PUBLIC PRINTING.		
Acts, journals, appendixes, messages.....	8,500	
Supreme Court repor s, Act 1871, four volumes....	8,000	
" " " " 1879, six " ...	12,000	
Publishing Governor's proclamations.....	600	
" Acts in newspapers.....	600	
Railroad assessments.....	1,000	
Board of Health, Act 1879, Chapter —, $3,000.....	6,000	
Public Arms expenses.....	100	
Interest school fund, $2,512,000 at 6 per cent., two years.....	301,500	
DEFICIENCIES.		
Criminal prosecutions, $50,000.....		
less amount appropriated by S. B. 71.....	25,000	
Tax aggregates.....	116 25	
Land sales, clerk fees.....	479	
Salary of Governor.....	1,500	
" " Secretary of State.....	600	
" " Treasurer	900	
" " Comptroller.....	916 66	
" " Attorney General and Reporter.....	750	

Superintendent of Hospital		
$2\frac{1}{3}$ months at $3,000 per annum.....	$ 588 33	
$\frac{2}{3}$ months at $2,000 " "	111 12	
Total.....	$ 699 45	
Yellow fever sufferers, S. B. 14.	4971 77	

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SEC. 2. *Be it further enacted,* That the Comptroller issue his warrant on the Treasurer to each member and officer of the Senate for the sum stated to be due in the following schedule:

NAMES OF SENATORS.	NO. OF MILES.	MILEAGE.	NO. DAYS.	PER DIEM.	TOTAL.
Anderson, C. H.....	532	$ 85 12	75	$300 00	$385 12
L. M. Beckerdite.....	206	32 96	75	300 00	332 96
Vernon F. Bibb	88	14 08	75	300 00	314 08
B. C. Bledsoe.....	512	81 92	75	300 00	381 92
Nathan Brandon.....	210	33 60	75	300 00	333 60
Robert K. Byrd.....	514	82 24	75	300 00	382 24
J. W. Clapp.....	464	74 24	75	300 00	374 24
Jno. M. Crow.....	72	11 52	75	300 00	311 52
M. A. Driskill.....	670	107 20	75	300 00	407 20
Z. W. Ewing.....	80	12 80	73	292 00	304 80
G. A. Hanson.....	464	74 24	75	300 00	374 24
A. L. Landis.....	122	19 52	75	300 00	319 52
Jno. K. Miller.....	774	123 84	75	300 00	423 84
W. P. Morris.....	174	27 84	75	300 00	327 84
Chas. C. Moss.....	400	64 00	75	300 00	364 00
H. T. Patton.....	686	109 76	75	300 00	409 76
Clay Roberts.....	.....	.....	75	300 00	300 00
R. C. Samsell.	625	100 00	75	300 00	400 00
Jno. H. Savage.....	208	33 28	75	300 00	333 28
Thos. R. Shearon.....	334	53 44	75	300 00	353 44
Baxter Smith.....	.....	.....	75	300 00	300 00
R. H. Smith.....	440	70 40	75	300 00	370 40
W. P. Tolley.....	264	42 24	75	300 00	342 24
S. F. Wilson..	52	8 32	75	300 00	308 32

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OFFICERS, &C., SENATF.

NAMES OF OFFICERS.	NO. OF MILES.	MILEAGE.	NO. DAYS.	PER DIEM.	TOTAL.
Jno. R. Neal, Speaker	462	$ 73 92	75	$450 00	$523 92
Thos. C. Long, P. C..	.....	... .	75	450 00	450 00
Thos. S. Steele, A. C.	.....	.....	75	450 00	450 00
E. G. Cook, Eng. C...	.....	.....	75	450 00	450 00
A. McLelland Ser'gt..	.....	.....	75	300 00	300 00
Jas. A. Harris, Mess..	.....	.....	75	300 00	300 00
Joe W. Carter, A.E.C.	.....	.....	15	90 00	90 00
Robt. F. Boyd, Porter	.....	.....	85	212 50	212 50
Egbert Gooch, A. P..	.....	.....	75	187 50	187 50
Mi'h'l Kirwin, W.C.P	.....	.. ..	75	225 00	225 00
C. D. Elliott, Chapl'n.	.....	.....	75	150 00	150 00

Senate Clerks to file papers and copy Journal.

SEC. 3. *Be it further enacted*, That the Principal and Assistant Clerk of the Senate, be directed to remain a sufficient time (not exceeding thirty days) after the adjournment of the General Assembly, to file properly the papers of the Senate with the Secretary of State, and for copying the Journal of the Senate for publication, for which service they shall be allowed their usual per diem, to be paid by the warrant of the Comptroller on the Treasurer whenever said service is rendered.

To index and copy Journal and compensation.

SEC. 4. *Be it further enacted*, That as soon as the Journal is copied, the Principal Clerk will index and publish the same, for which service he shall be allowed three hundred dollars, to be paid by the warrant of the Comptroller on the Treasurer as soon as said service is performed.

Laws repealed and modified.

SEC. 5. *Be it further enacted*, That all laws and parts of laws in conflict with this Act, be, and the same are hereby repealed; and all laws providing a salary for any officer named in this Act, and all laws making appropriations for any specific purpose, in excess of the amount herein appropriated for said officers or purpose, are so modified as to conform with this Act.

SEC. 6. *Be it further enacted*, That should the item of

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twenty-four thousand dollars herein appropriated for the Tennessee School for the Blind, not be expended for the purpose for which said appropriation is made, then and in that event, the Trustees of said Institution are hereby authorized to appropriate the balance of said appropriation in improvements on the buildings of said Institution.

Blind Asylum improvements.

SEC. 7. *Be it further enacted*, That the Comptroller issue his warrants to G. P. Henry for the sum of seventy-one dollars for medical service rendered to convicts in the penitentiary.

G.P.Henry, M.D

SEC. 8. *Be it further enacted*, That the Comptroller issue his warrant to James A. Harris, Assistant Sergeant-at-Arms, for the sum of forty-five dollars for his traveling expenses while in the service of the committee to investigate the State debt.

J. A. Harris, Assistant Sergeant, pay on Investigation Committee.

SEC. 9. *Be it further enacted*, That the Comptroller issue his warrant to A. McClelland for thirty-three dollars and eighty-five cents, for expenses in summoning witnesses for the committee on rings and frauds.

A. McClelland, pay on witnesses

SEC. 10. *Be it further enacted*, That the sum of five thousand dollars or so much thereof as may be necessary, is hereby appropriated to be placed at the disposal of the Governor, for the purpose of employing counsel to contest the liability of the State of Tennessee, for the payment of what is known as the new or Torbett issue of the Bank of Tennessee and that the further sum of five hundred dollars or so much thereof as may be necessary, hereby appropriated to pay the expenses of the Attorney General for the State, in going to, remaining and returning from Washington to attend to said suits, should it be deemed advisable by him and the Governor, that he should give his attention thereto; *Provided*, that the the lawyer employed shall be required, before entering upon the duties of said attorney, shall first file an affidavit that he is not the owner of any of said issue or interested in the result of the suit or suits that may be brought, other than those in common of all the citizens of the State of Tennessee, and have not been employed on the other side; and, *further provided*, that this appropriation shall cover all the fees paid to the attorney or attorneys, for the next ensuing two years employed hereunder to assist the Attorney General in defending the interest of the State with respect to the Torbett or new issue, and questions of the conflict of jurisdiction between the State and Federal Courts and revenue cases involving the interest of the State.

Employ Counsel to contest new issue.

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SEC. 11. *Be it further enacted*, That the Comptroller of the Treasury issue his warrant to each member of the House and the officers of the same, for the sums stated to be due in the annexed report of the Committee of Finance Ways and Means, as follows:

FORTY-FIRST GENERAL ASSEMBLY, HOUSE OF REPRESENTATIVES.

ROLL MEMBERS HOUSE OF REPRESENTATIVES.	NO. OF MILES.	MILEAGE.	NO. DAYS.	PER DIEM.	TOTAL.
Wm. Aimison.....	.....	.....	75	$300 00	$300 00
B. F. Alexander.....	78	$ 12 48	75	300 00	312 48
J. J. Alston.....	418	66 88	75	300 00	366 88
Hu. C. Anderson.....	348	55 68	75	300 00	355 68
J. D. Andrews.....	210	33 60	75	300 00	333 60
R. N. Baker...	582	93 12	75	300 00	393 12
Jno. Ballafant.....	112	17 92	75	300 00	317 92
M. D. Bearden.....	526	84 16	75	300 00	384 16
J. R. Beasley.....	168	26 88	75	300 00	326 88
W. M. Brickell.....	564	90 24	75	300 00	390 24
H. L. Brinkley.....	464	74 88	75	300 00	374 88
B. A. Browder.....	450	72 00	75	300 00	372 00
M. T. Bryan.....	.....	.....	75	300 00	300 00
W. J. Buchanan.....	204	32 60	75	300 00	332 60
H C. Burnett.....	310	49 60	75	300 00	349 60
R. R. Butler.....	825	132 00	75	300 00	432 00
T. C. Cain...	610	97 60	75	300 00	397 60
L. R. Carden.....	576	92 16	75	300 00	392 16
S. E. Cunningham....	320	51 00	75	300 00	351 00
J. A. Dinning.....	100	16 00	75	300 00	316 00
Jno. M. Driver.....	132	21 12	75	300 00	321 12
W. L. Duggan.....	600	96 00	75	300 00	396 00
J. H. L. Duncan.....	180	28 80	75	300 00	328 80
S. M. Dyer.....	517	92 32	75	300 00	392 32
Jno. A. Gardner.....	296	47 36	75	300 00	347 36
N. Gregg.....	786	125 76	75	300 00	425 76
o. Green Hall.....	540	86 40	75	300 00	386 40
T. B. Harwell.....	168	26 88	75	300 00	326 88
. Hawk s..	212	33 92	72	288 00	321 92

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HOUSE ROLL.—*Continued.*

ROLL MEMBERS HOUSE OF REPRESENTATIVES.	NO. OF MILES.	MILEAGE.	NO. DAYS.	PER DIEM.	TOTAL.
T. E. Haynes	40	$ 6 40	75	$300 00	$306 40
H. B. Haynie	110	17 60	75	300 00	317 60
S. C. Hearn	286	43 76	75	300 00	343 76
D. D. Holman	57	8 62	75	300 00	308 62
Wm. Jones	334	53 44	75	300 00	353 44
R. Ledbetter	230	36 80	75	300 00	336 80
J. C. Lester	160	25 60	75	300 00	325 60
A. D. Lewis	550	88 00	75	300 00	388 00
Jno. Loague	464	74 24	74	296 00	370 24
W. F. Lowery	382	61 12	75	300 00	361 12
J. J. Lowry	220	35 20	75	300 00	335 20
Jno. Lytle	76	12 16	75	300 00	312 16
J. C. Maccabe	464	74 24	75	300 00	374 24
M. S. Mahoney	720	115 20	75	300 00	415 20
J. A. Manson	532	85 12	75	300 00	385 12
J. Harvey Mathis	464	74 24	75	300 00	374 24
L. F. McHainey	356	56 96	25	100 00	156 96
W. S. McGaughey	680	108 80	75	300 00	408 80
G. W. McQuarry	40	6 40	75	300 00	306 40
O. A. Nixon	138	22 08	75	300 00	322 08
T. J. Ogilvie	100	16 00	75	300 00	316 00
C. N. Ordway	.....	.....	75	300 00	300 00
W. R. Pearson	714	114 24	75	300 00	414 24
H. L. Pickett	60	9 60	75	300 00	309 60
W. F. Poston.	346	58 36	75	300 00	358 36
H. B. Ramsey	483	77 28	75	300 00	377 28
T. M. Reynolds	156	24 96	75	300 00	324 96
J. L. Roark	120	19 00	75	300 00	319 00
S. L. Ross	356	56 96	29	116 00	172 96
James Roosa	464	74 24	75	300 00	374 24
W. B. Samples	450	72 00	75	300 00	372 00
A. W. Stovall	394	63 04	75	300 00	363 04
Wm. Carlyle Shelley.	522	83 52	75	300 00	383 52
J. W. Shute	7	1 12	75	300 00	301 12
J. H. Smith	464	74 24	75	300 00	374 24
D. L. Snodgrass	174	27 84	75	300 00	327 84
L. D. Sugg	272	43 52	72	288 00	331 52

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HOUSE ROLL.—*Continued.*

ROLL MEMBERS HOUSE OF REPRESENTATIVES.	NO. OF MILES.	MILEAGE.	NO. DAYS.	PER DIEM.	TOTAL.
S. D. Trent	686	$109 76	75	$300 00	$409 76
Benjamin Tyson	381	60 96	75	300 00	360 96
R. Warner	132	21 12	75	300 00	321 12
B. B. Watkins	404	64 04	75	300 00	364 04
Jas. P. Wilson	212	33 92	72	288 00	321 92
H. M. Wiltse	302	48 32	75	300 00	348 32
L. C. Wright	300	48 00	75	300 00	348 00
E. G. Yancey	376	60 16	75	300 00	360 16
H. York	240	38 40	75	300 00	338 40
OFFICERS, &C., OF THE HOUSE.					
H. P. Fowlkes, Sp'k'r	40	$ 6 40	75	$450 00	$456 40
Eth. B. Wade, P. C.	.....	.....	75	450 00	450 00
Jno. Slack, A. C.	.....	.....	75	450 00	450 00
C. P. Priestly, E. C.	.....	.....	75	450 00	450 00
H. T. Prather, S.-at-A.	.....	.....	85	340 00	340 00
W. A. Sparks, A. S.	.....	.....	72	288 00	288 00
J. E. T. Harris, A.E.C.	.....	.....	22	132 00	132 00
Chas. C. Plummer, J.C	.....	.....	36	216 00	216 00
Donaldson Merrill, P.	.....	.....	75	225 00	225 00
Jno. Terry, P.	.....	.....	85	255 00	255 00

SEC. 12. *Be it further enacted*, That the Comptroller issue his warrant for three hundred and ninety-three dollars in favor of the Sergeant-at-Arms of the House of Representatives in accordanee with H. R. No. —, adopted February 26, 1879, to provide each member with six dollars worth of postage; *Provided*, that the Sergeant-at-Arms deposit with the Comptroller a receipt of each member for the same.

Postage.

SEC. 13. *Be it further enacted*, That the Comptroller issue his warrant upon the Treasurer for the sum of seventy-five dollars for the benefit of the Columbia Helicon Band, for music furnished on the occasion of the Governor's inauguration.

Pay for music.

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H. T. Prater, for witnesses.

SEC. 14. *Be it further enacted*, That the Comptroller of the Treasury issue his warrant in favor of H. T. Prater, Sergeant-at-Arms of the House, for $66.30 for expenses in summoning witnesses to appear before investigating committees.

W. A. Sparks, for summoning witnesses.

SEC. 15. *Be it further enacted*, That the Comptroller issue his warrant in favor of W. A. Sparks, Assistant Sergeant at-Arms of the House, for $110, for expenses in s mmoning witnesses to appear before investigating committees.

Per diem to clerk for forty days.

SEC. 16. *Be it further enacted*, That the Principal and Assistant Clerks be directed to remain a sufficient time after the adjournment of the General Assembly to file properly the papers of the House with the Secretary of State, and for the above services and for copying the Journals of the House, they shall each receive their per diem, (six dollars per day), for forty days, and the Comptroller shall issue his warrant for said sums to said Clerks, when said Clerks shall have performed these duties.

$400 for read-proof and indexing Journal.

SEC. 17. *Be it it further enacted*, That the Principal Clerk shall remain a sufficient time to index, read proof, and superintend the publication of the Journal of the House, and for such services the sum of four hundred dollars is hereby appropriated, and the Comptroller shall issue his warrant for said amount when the said Clerk shall have performed these duties and closed his business.

Washing towels.

SEC. 18. *Be it further enacted*, That the Comptroller issue his warrant to Milly Powell for five dollars and twenty-five cents for washing towels for the Senate.

Pay for spittoons, etc.

SEC. 19. *Be it further enacted*, That the Comptroller issue his warrant to James Glover, Superintendent of the Capitol, for twenty-two dollars and fifty cents for three dozen spittoons for use of House of Representatives, and five dollars and fifty cents for bowls and pitchers and tumblers for use of House.

Extra pay for porters.

SEC. 20. *Be it further enacted*, That the Comptroller issue his warrant in favor of Egbert Gooch, Jesse Woods and Alfred Hart for the sum of $14 each for seven days services for cleaning up and attending to the duties as porters of the Senate and House of Representatives before and during the organization of the two Houses.

Wm. Rear, for desks.

SEC. 21. *Be it further enacted*, That the Comptroller issue his warrant in favor of Wm. Rear for services rendered in repairing desks and locks of same, and the Senate and House of Representatives, twenty-four dollars and seventy-five cents.

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Clerk hire—Comptroller.

SEC. 22. *Be it further enacted,* That $800.00 per annum is hereby appropriated to pay for any additional clerk hire that may be necessary in the office of the Comptroller.

SEC. 23. *Be it further enacted,* That nothing in this Act shall preclude the Comptroller from issuing his warrant for interest on bonds of the State, including those past due held by educational and charitable institutions in this State, evidence of the ownership of which was n file in the Comptroller's office on the first day of January, 1875; *Provided,* that the current expenses of the State government shall first be paid.

Willie Prater, for 13 days services.

SEC. 24. *Be it further enacted,* That the Comptroller issue his warrant in favor of Willie Prater for thirteen days service as Assistant Sergeant-at-Arms, in the absence of W. A. Sparks, at the rate of four dollars per day, $52.00.

Ice.

SEC. 25. *Be it further enacted,* That the Comptroller issue his warrant in favor of the Northern Lake Ice Company for ice furnished the General Assembly, for thirty-six dollars and twenty cents.

Repairing court house at Jackson.

SEC. 26. *Be it further enacted,* That the sum of five hundred dollars is hereby appropriated for repairing and refurnishing the Supreme Court room at Jackson under the provisions of House Resolution No. 448, (Acts of 1879, Chapter 93), passed March 13, 1879, and approved March 14, 1879.

Jno. V. Wrights pay as Special Judge.

SEC. 27. *Be it further enacted,* That the sum of $1,400 is hereby appropriated for the payment of Jno. V. Wright, on account of services as Special Judge in accordance with the provisions of House Bill No. 257, (Acts of 1879) approved by the Governor March 26, 1879.

Arbitration Courts expense.

SEC. 28. *Be it further enacted,* That the sum of $12,000.00 is hereby appropriated to defray the expenses of the Commissioners or Judges for the three divisions of the State, in accordance with the provisions of Senate Bill No. 344, (Acts of 1879), approved by the Governor March 26, 1879.

Interest on Mrs. Polk's bonds.

SEC. 29. *Be it further enacted,* That the Comptroller issue his warrant in favor of the widow of ex-President Polk for the interest upon the bonds of the State owned and held by her on the first day of January, 1877, not exceeding twenty-nine in number.

C. D. Allen.

SEC. 30. *Be it further enacted,* That the sum of $2,100 is hereby appropriated for the relief of C. D.

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Allen in accordance with House Bill No. 321, Act of 1879.

Secretary State

SEC. 31. *Be it further enacted*, That the Comptroller issue his warrant for $500.00 per annum for the next two years for clerical hire for the Secretary of State.

Commissioner of Agriculture.

SEC. 32. *Be it further enacted*, That the Comptroller issue his warrant in favor of the Commissioner of Agriculture, Statistics and Mines for the sum of $1,510.00 to cover the period from December 20th, 1878, to March 19th, 1879, for which there was no appropriation, which amount shall be paid out of the $16,000 appropriated herein for the next two years.

J. B. Heiskell's fees.

SEC. 33. *Be it further enacted*, That the sum of $1,250.00 is hereby appropriated to J. B. Heiskell for services as counsel in the Supreme Court of the United States in the case of Keith v. Clark, new issue, case No. 67, in the case of the Memphis & Charleston R. R. Co. and others v. James L. Gaines and others, Railroad tax case No. 673, and in the case of Coleman v. The State, murder, No. 344, the Governor, Attorney General and Secretary of State having adjudicated the account and recommended that it be allowed, which shall be in full of his services to this date.

Payment for expense Legislative committee investivation.

SEC. 34. *Be it further enacted*, That the Comptroller shall issue his warrant on the Treasury for the sum of $749.04 in full payment of the services and all expenses on account of the Select Committee appointed to investigate the State debt. That the Comptroller shall issue his warrant on the Treasury for the sum of $571.05 in full payment for the services and all expenses incurred on account of the Select Committee appointed to investigate rings. That the Comptroller issue his warrant on the Treasury for $100.00 in full payment of the services and all expenses incurred on account of the Select Committee appointed by joint resolution of the General Assembly to investigate the receipts and disbursements from 1865 to 1878. That the Comptroller issue his warrant on the Treasury for $66.40 for the expenses, and $78.00 for mileage of the three House members of the committee appointed to visit East Tennessee University at Knoxville. Also, the Comptroller will issue his warrant for $305.00 in full payment of the expenses and mileage of the committee appointed to visit charitable institutions. That the Comptroller shall issue his warrant for the sum of $72.60 in full payment of all expenses and mileage of the committee appointed to visit the branch prison at Memphis.

Expense charitable institutions and educational, legislative committees.

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D. A. Bowder's expenses.

SEC. 35. *Be it further enacted*, That the Comptroller issue his warrant to D. A. Browder for $38.00, his expenses in going to Knoxville as a committee on public grounds. That the Comptroller issue his warrant for the sum of $245.70 for mileage and per diem of witnesses summoned to investigate the Bureau of Agriculture, Statistics and Mines.

Witness' pay—investigation.

Secretary of State's clerk.

SEC. 36. *Be it further enacted*, That the sum of four hundred dollars per annum is hereby appropriated to the Secretary of State to employ clerical assistance for the years 1879 and 1880, in addition to the amount already appropriated by this Act.

J. M. McKee.

SEC. 37. *Be it further enacted*, That J. M. McKee be allowed twelve dollars for two days' services for acting as Assistant Clerk during the organization of the House of Representatives.

C. J. Witt

SEC. 38. *Be it further enacted*, That the sum of two hundred and forty-seven dollars and seventy-seven cents shall be appropriated for the relief of C. J. Witt, as provided in Senate Bill No. 268, Act of 1879.

State Library.

SEC. 39. *Be it further enacted*, That the sum of six hundred dollars be appropriated for the benefit of the State Library.

F. M. Davis.

SEC. 40. *Be it further enacted*, That the Comptroller issue his warrant to F. M. Davis for two hundred and twenty-five dollars ($225.00) as the Tax Collector of Marshall County for the years 1873 and 1874 for State taxes collected, that was accidently burned up without his fault, in accordance with Senate Bill No. 240, Acts of 1879.

Penitentiary.

SEC. 41. *Be it further enacted*, That the sum of three thousand dollars ($3,000) is hereby appropriated for an engine and water pumps at Penitentiary.

Code.

SEC. 42. *Be it further enacted*, That $5.000 be and the same is hereby appropriated out of the Treasury for the perpose of supplying Justices with the Code.

Passed April 1, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES.
Speaker of the House of Representatives.

Approved, April 1, 1879.

ALBERT S. MARKS,
Governor.

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RESOLUTIONS.

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RESOLUTIONS.

SENATE JOINT RESOLUTIONS.

NUMBER I.

Be it resolved by the General Assembly of the State of Tennessee, That a committee of two from the Senate, and three from the House, be appointed by the respective Speakers, to examine the books and vouchers and settle with the Comptroller and Treasurer.

Adopted January 9, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved January 11, 1879.

JAS. D. PORTER,
Governor.

NUMBER II.

Resolved, by the Senate, the House of Representatives concurring, that tho two Houses of the Forty-first General Assembly meet in convention in the Hall of Representatives, at 12 o'clock M., on the 16th inst., for the purpose of inducting into office Governor elect, A. S. Marks, as Governor of the State of Tennessee, for the ensuing term of two years.

Adopted January 15, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved January 15, 1879.

JAS. D. PORTER,
Governor.

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NUMBER III.

Be it resolved by the General Assembly of the State of Tennessee, That a committee of one from the Senate, and two, including Speaker of the House, from the House be appointed to prepare joint rules for the government of the two Houses, in convention.

Adopted January 10, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives

Approved January 15, 1879.

JAS. D. PORTER,
Governor.

NUMBER IV.

Directory to committee of both Houses on printing where the same matter is often required to be printed by each House of the General Assembly, but inasmuch as when the printing is ordered by each House separately, the cost of such printing is greatly increased; therefore,

Be it resolved by the General Assembly of the State of Tennessee, that the committee of the two Houses on printing, be directed to enquire and report, whether some rule cannot be adopted to prevent said increased cost of printing.

Adopted January 15, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved January 17, 1879.

ALBERT S. MARKS,
Governor.

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NUMBER V.

Be it resolved by the General Assembly of the State of Tennessee, That five hundred copies of the Report of the Fish Commissioners, heretofore appointed by the Governor, for the use of the Senate, and two hundred and fifty copies of the same for the use of the House of Representatives be printed.

Adopted January 10, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved January 17, 1879.

ALBERT S. MARKS,
Governor.

NUMBER VI.

WHEREAS, during the past year an epidemic of unprecedented malignity prevailed in a large portion of our State, destroying the lives of thousands of our fellow-citizens; and,

WHEREAS, during this season of our great distress and want, the people from all parts of our country, North, South, East and West, as well as from Europe, moved with a noble spirit of charity and philanthropy, came to our assistance with contributions of money, nurses, and physicians, in fine everything, that would tend to check the march of the destroyer, as far as human power could stay it, and alleviate the sufferings of our people; therefore,

Be it resolved by the General Assembly of the State of Tennessee, That we, the Representatives of the people,

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desire to acknowledge our heartfelt thanks and gratitude, for these noble benefactions to the people everywhere, who bestowed them, and to express our highest admiration and regard for these high evidences of that greatest of Christian virtues—charity, which prompted this action.

Resolved, That, conspicuous among those who lost their lives among the many noble martyrs, was Lieut. H. H. Benner, of the U. S. Army, who commanded the relief boat sent from the northwest down the Mississippi river, with supplies for the sufferers at Memphis and other contiguous points.

Resolved, further, That the General Assembly heartily approve of the action of the State Treasurer, under the advice of the Governor, in the timely and efficient aid extended to that portion of the State, that was stricken by the late dreadful scourge.

Resolved, That the Clerk of the Senate prepare copies for transmission to the Governors of the various States and Territories.

Adopted January 15, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives

Approved January 17, 1879.

ALBERT S. MARKS,
Governor.

NUMBER VII.

Creating a Joint Select Committee of both Houses of the General Assembly.

WHEREAS, The expenses of criminal prosecution in the State of Tennessee, is oppressive to the tax-payers of the State; and,

WHEREAS, The question of providing a remedy is a perplexing one, and difficult of solution; therefore,

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Be it resolved by the General Assembly of the State of Tennessee, That the Judiciary Committee of the Senate and the Judiciary Committee of the House of Representatives, compose a select joint committee, for the purpose of perfecting a bill for the relief of the tax-payers of the State, from the great expenditure of money complained of.

Adopted January 17, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved January 20, 1879.

ALBERT S. MARKS,
Governor.

NUMBER VIII.

Instructing our Senators and Representatives in Congress to use their influence to repeal the tax of 10 per cent. on the issue and circulation of State Banks; to abolish the National Banking system.

Be it resolved by the General Assembly of the State of Tennessee, That our Senators and Representatives in Congress are hereby requested to make all legal and proper exertions to repeal the tax of 10 per cent., imposed by Congress, upon the issue and circulation of State Banks.

Resolved, further, That our Senators and Representatives in Congress are hereby requested to exert their influence to abolish the National Banking system, and to substitute legal tender notes in lieu of said National Bank currency.

Adopted January 17, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved January 20, 1879.

ALBERT S. MARKS,
Governor.

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NUMBER IX.

To raise a Committee to redistrict the State.

Be it resolved by the General Assembly of the State of Tennessee, That a committee of three, from the Senate, and six from the House, be appointed by the respective Speakers, which committee shall be charged with the duty of investigating the expediency and constitutionality of redistricting the Chancery Division and Judicial Districts, and having in view the reduction of the number of the Chancellors and inferior Judges of the State of Tennessee, and report what special courts can be dispensed with without detriment to the public welfare.

Adopted January 22, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved January 24, 1879.

ALBERT S. MARKS,
Governor.

NUMBER X.

For the appointment of a Joint Committee to report a bill to more effectually collect the public taxes by the sale or disposition of land, when no other property can be found to pay the same.

Resolved, That a Joint Committee of three from the Senate, and five from the House of Representatives, be appointed to report a bill the more effectually to collect

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the public revenue from tax-payers, by making real estate liable by sale or otherwise, when no other property can be found to be sold to pay the taxes on land.

Adopted January 17, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved January 24, 1879.

ALBERT S. MARKS,
Governor.

NUMBER XI.

On Public Printing.

Resolved by the General Assembly of the State of Tennessee, That the following documents to be printed for the use of the Senate, House and Appendix, 500 copies Governor Porter's message for the use of the Senate, and 1,500 copies for the use of the House, 200 copies report Trustees of Insane Asylum for the use of the Senate, and 500 copies for the use of Trustees of same, 800 copies for the Appendixes, (300 for the Senate Journals and 500 for the House Journals), 2,500 copies Comptroller's report for use of the Senate, and 2,500 for the use of the House, and 800 copies for the Appendixes, (300 for the Senate Journals and 500 for the House Journals).

250 Treasurer's reports for the Senate and 250 for the use of the House, 800 for the Appendixes, (300 for the Senate Journals, and 500 for the House Journals).

250 reports of the Blind Asylum for the Senate, and 250 for the House, 800 for the Appendixes, (300 for the Senate Journals, and 500 for the House Journals).

250 reports Deaf and Dumb Asylum for the use of the Senate, and 250 for the use of the House, and 800 for

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the use of the Appendixes, (300 for the Senate Journals, and 500 for the House Journals).

250 reports of Penitentiary for the use of the Senate, and 250 for the use of the House, and 800 for the Appendixes, (300 for the Senate Journals, and 500 for the House Journals).

250 reports of Secretary of State for the use of the Senate, and 250 for the use of the House, 800 for the Appendixes, (300 for the Senate Journals, and 500 for House Journals).

Resolved, further, That the number of documents to be printed for the Appendixes, shall be laid over and placed in the back of the Journals for the Senate and House, and not bound in a separate book.

Adoped January 22, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved January 24, 1879.

ALBERT S. MARKS,
Governor.

NUMBER XII.

To appoint a Special Joint Committee to investigate the State Debt.

WHEREAS, There is much misapprehension in the public mind and many diverse opinions concerning the present legal status of the public debt of Tennessee, its origin, the purpose for which it was created, etc.; and,

WHEREAS, There have been grave charges preferred in the discussion of the question, to the effect that the laws authorizing or purporting to authorize, the issuance of bonds by the State were violated in such manner and to such extent, as to vitiate the contract creating or purporting to create, said public debt of Tennessee; and

WHEREAS, The people of Tennessee, in consequence

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of the financial distress pervading the whole country, brought about by maladministration and a false financial system, are not in a condition to be burdened with an illegal or even doubtful debt; therefore, to the end that the question of the public debt of Tennessee may be properly understood, and the people may be relieved of such part of said debt as is neither legally nor morally binding upon them.

Be it resolved by the General Assembly of the State of Tennessee, That a Joint Committee of three Senators, to be appointed by the Speaker of the Senate, and five Representatives, to be appointed by the Speaker of the House, be constituted a committee to investigate and report:

First. As to when and for what purpose were the bonds now outstanding against the State of Tennessee originally issued; what amount of said bonds when issued, were a part of the State debt proper, and what amount of railroad bonds, as they were distinguished in all official reports, messages, etc., up to the late war, and what part are *post-bellum* bonds.

Second. What was the nature and the extent of the obligations incurred by the State, in issuing each class or series of bonds, whether the State was directly liable for said bonds, or was only the endorser on a great part of the same or loaned the same to certain railroads and other incorporated companies, and whether the conditions of the State endorsement or loan of said bonds, have been complied with.

Third. To inquire especially, if the great bulk of the present so-called debt of Tennessee, was not thrown upon the State in violation of the contract creating or purporting to create the debt, by the foreclosure of the mortgage given by railroad and other companies, to secure the State against the payment of the bonds before the time specified in the contract for said foreclosure and sale of the property upon which the debt was based, and if it was not by this premature and forced sale at a heavy sacrifice of the property bound for the debt, that the debt was thrown upon the people.

Fourth. To inquire and report what proportion, if any, of the bonds of the State, were issued and sold, or either, in violation of the law authorizing or purporting to authorize, the issuance of the same.

Fifth. And to make such other inquiry and report as in the opinion of the committee, will in any way afford light or information on the subject matter for investiga-

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tion, or will in any way carry out the general purpose for which this committee is hereby raised.

Resolved, That it is the sense of this General Assembly, that this report shall be made as soon as possible, consistent with the extent and importance of the investigation contemplated, so that the same may accompany any submission to the people of the question of the so-called public debt of this State, that may be ordered by the General Assembly at its present session.

Adopted January 22, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved January 24, 1879.

A. S. MARKS,
Governor.

NUMBER XIII.

To print the Governor's Message.

Be it resolved by the General Assembly, That 10,500 copies of the Governor's message be printed for the use of the people, and the General Assembly, 3,000 for the use of the Senate and 7,500 for the House.

Adopted January 17, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved, January 24, 1879.

ALBERT S. MARKS,
Governor.

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NUMBER XIV.

WHEREAS, Irritating questions of conflicting Jurisdiction are constanlly arising between the Federal and State Courts under existing laws of Congress; and,

WHEREAS, It is of vital importance to the perpetuity and the harmonious operation of our Republican Institutions, that the proper independence State Courts, under the rightful limitations of the organic law should be carefully preserved.

Therefore be it resolved, That our Senators and Members in Congress are requested to use their utmost exertions, to have present laws so modified, or new laws enacted that the proper independency of the Federal and State Courts may be maintained without conflict of jurisdiction.

Adopted January 25, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved, January 27, 1879.

ALBERT S. MARKS,
Governor.

NUMBER XV.

A resolution for the benefit of the Mexican Soldiers and Soldiers of the Florida War of 1836.

WHEREAS, It is the policy of the United States Governments to pension all the soldiers who have fought its battles, and the widows and orphans of such; and,

WHEREAS, In the war with Mexico, which resulted in munificent benefits to the government, nearly all of the soldiers are dead, but a few of them, together with the widows and orphans of the deceased, are poor and

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penniless yet servive, and although as deserving as any soldiers that ever fought for their government have not yet been pensioned.

Therefore be it resolved by the General Assembly of the State of Tennessee, That our Senators and Representatives in Congress, be earnestly requestly to urge the passage of such laws before the present Congress, as will place the soldiers of the Mexican war and the Florida war of 1836, and their widows and orphans, on an equality with all other soldiers who are receiving the bounty of the government.

Be it further resolved, That the Secretary of State be requested to send a copy of this resolution to each Senator and Representatives in the Congress of the United States from Tennessee, and urge them to use all honorable means to have said soldiers pensioned.

Adopted January 25, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved, January 27, 1879.

ALBERT S. MARKS,
Governor.

NUMBER XVI.

Resolved, That this General Assembly adjourn on Friday, January 31, and stand adjourned till 10:30 o'clock a. m., Tuesday, February 11.

Resolved further, That the Joint Committee, charged with the investigation of the State debt is empowered to sit in session during said recess.

Adopted January 27, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved, January 29, 1879.

ALBERT S. MARKS
Governor.

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NUMBER XVII.

Memorial to the Congress of the United States.

To the Honorable Senate and House of Representatives in Congress assembled: The General Assembly of Tennessee, now in session in the City of Nashville, Tennessee, would respectfully memorialize your honorable body and would represent.

That the Methodist Episcopal Church South, a corporation in which the whole church extending form Maryland to California and Oregon, and from Illinois to Florida is interested, has a claim before Congress against the United States for use and occupation of their property located in the City of Nashville, and known as the Publishing House of the M. E. Church South, and believing said claim to be just and equitable, and learning that a bill to pay for the said use and occupation has passed one reading before the Senate, your memorialists would earnestly ask for a speedy passage of the bill through both Houses of Congress, so that an institution now struggling for means to meet its liabilities and prosecute its work of philanthropy, and charity may be relieved.

Its present embarssed condition is the result in a large measure of the use and occupation of said property duing the period from 1862 to 1865.

Adopted January 22, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved, January 29, 1879.

ALBERT S. MARKS,
Governor.

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NUMBER XVIII.

To authorize the Committee on House Joint Resolution No. 34, to examine proof during the recess.

Resolved by the General Assembly of the State of Tennessee, That the Committee appointed under House Joint Resolution No. 34, to inquire into frauds and bribery, be, and they are hereby authorized to sit and examine witnesses during the recess of the General Assembly, from the 31st of January to 10th of February, 1879.

Adopted January 28, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved, January 31, 1879.

ALBERT S. MARKS.
Governor.

NUMBER XIX.

Be it resolved, That the Committee raised by House Joint Resolution 47, to investigate to what use, or uses the revenue from 1865 to 1878, be permitted to pursue their investigations during the recess.

Adopted Januarv 31, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved February 14, 1879.

ALBERT S. MARKS,
Governor.

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NUMBER XX.

A mememorial to lessen the tax on Whisky and Tobacco.

WHEREAS, It has been demonstrated that the present high rate of tax imposed upon of the articles of Tobacco and Whiskies and Brandies, and the complicated and expensive methods of collecting the same, are a source of discontent among the people, produce conflict, and have a tendency to spread the growth of fraud among the people, and corruption and dishonesty among officials: and,

WHEREAS, the present laws in regard to the tax upon these articles, and the methods of collecting the same, in addition to failing to obtain the maximum amount of revenue to the government, operate harshly upon the people, and aid in developing large monopolies, destructive to the public welfare.

Therefore be it resolved by the General Assembly of the State of Tennessee, That our Representatives in Congress be requested to use their influence in having the present high and oppressive rate of taxation upon Tobacco, Whiskies and Brandies, materially lessened and the mode of collecting the tax on said articles simplified and cheapened.

Adopted February 24, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved February 26, 1879.

ALBERT S. MARKS,
Governor.

NUMBER XXI.

To appoint a Committee to report a bill requiring each County to pay its own criminal costs.

WHEREAS, Governor James D. Porter, in his message to this, the Forty-first General Assembly of the State of Tennessee, recommends the passage of an Act, requiring

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the several Counties of this State to pay their own criminal expenses; and,

WHEREAS, Governor Albert S. Marks, in his message to this General Assembly, delivered the seventeenth day of January, 1879, under the head of Criminal Costs, uses this language: "The plan of requiring the Counties to pay the cost of criminal prosecutions, recommended to you by my predecessor, is worthy of trial."

Therefore, be it resolved by the General Assmbly of the State of Tennessee, That a committee be appointed to consist of three on the part of the Senate, and five on the part of the House, to prepare a bill and report the same to this General Assembly for its consideration and action, at an early a day as practicable, in order to carry out the foregoing recommendation of the Governor and economize the public expenses of the State.

Adopted January 24, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved January 26, 1879.

ALBERT S. MARKS,
Governor.

NUMBER XXII.

Instructing our members in Congress to vote for the equalizing bounties of the Federal soldiers, who served in the war between the States.

Be it resolved by the Senate and House of Representatives of the State of Tennessee, That our Senators and Representatives in Congress be requested to use their influence and vote for a bill to equalize said bounties so as to give each Federal soldier, who served in the war between the States, the sum of $8\frac{1}{3}$ dollars per month, for the time he served as such soldier.

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Be it further resolved, That the Secretary of State be required to furnish each Senator and Member in Congress from this State, a copy of this resolution.

Adopted January 24, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved January 26, 1879.

ALBERT S. MARKS,
Governor.

NUMBER XXIII.

To authorize the building of a House of Worship on the Hermitage tract of land.

Resolved by the General Assembly of the State of Tennessee, That Stokely Donelson, Dr. Jno. Laurence and J. M. Turner, be, and they are hereby authorized, to lay off three acres of land (including that portion on which a public school-house has been built) on the Hermitage tract of land, and to build thereon a house for religious worship; *Provided*, this authority shall in no way be construed as relinquishing in any way the title of the State in said land; and, *Provided further*, that the State shall be at no expense in the building said house of worship.

Adopted January 28, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 1, 1879.

ALBERT S. MARKS,
Governor.

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NUMBER XXIV.

WHEREAS, By invitation of the Governor of this State, the American Public Health Association has agreed to meet in the City of Nashville, in November, 1879; an Association composed of men from all portions of the Union, distinguished as Statesmen, Scientists, Philanthropists and Physicians, and having for its object the promotion of "sanitary reform," a matter of paramount importance to the people of Tennessee and to the general welfare of society; and,

WHEREAS, Tennessee, during the recent terrible visitation of the yellow fever, was the recipient of a widespread and lavish liberality; therefore,

Be it resolved by the General Assembly of the State of Tennessee, That said American Public Health Association is hereby cordially invited to hold its sessions in the State Capitol.

Adopted February 28, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 1, 1879.

ALBERT S. MARKS,
Governor.

NUMBER XXV.

Providing for the appointment of Commissioners with a view to the settlement of debts of extinct municipalities.

WHEREAS, By an Act entitled, "An Act to establish Taxing Districts in the State of Tennessee and to pro-

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vide the means of local government for the same," approved January 31, 1879, the General Assembly of the State of Tennessee has found it necessary to repeal the Charters of certain municipal corporations in this State; and,

WHEREAS, Some of the corporations whose charters were repealed, were largely in debt; and,

WHEREAS, The General Assembly is not now sufficiently informed to determine what action should be had with reference to said indebtedness; therefore,

Resolved by the General Assembly of the State of Tennessee, That the Governor of the State shall appoint for each of the said Taxing Districts, five Commissioners, each one of whom shall be thirty years old, and a taxpayer of the District from which he is appointed, who shall enquire into the condition of the debt of the corporation which formerly embraced the District from which they are appointed, confer with the holders of said debt and report to the present or next General Assembly, what action ought to be taken with reference to said indebtedness.

Be it further resolved, That said Commissioners shall not be entitled to compensation for any services performed under the provisions of this resolution, but shall have power to employ a competent accountant, at a salary not to exceed one hundred dollars per month, for the time he is actually employed, said compensation is to be paid out of any funds in the hands of the Back Tax Collector or Receiver, for such extinct municipality.

Adopted January 22, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 1, 1879.

ALBERT S. MARKS,
Governor.

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NUMBER XXVI.

To print the Minority Report of the Committee upon the State Debt.

Be it resolved by the General Assembly of the State of Tennessee, That two thousand five hundred copies of the Minority Report of the Committee upon the State Debt for the use of the Senate, and seven thousand five hundred copies for the use of the House, be printed and bound in the same pamphlet, with the Report of the Majority Report of the State Debt Committee.

Adopted March 7, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES.
Speaker of the House of Representatives.

Approved March 8, 1879.

ALBERT S. MARKS,
Governor.

NUMBER XXVII.

Resolved, By the Senate, the House concurring, That three hundred copies for the use of the Senate, and nine hundred for the use of the House, of the Report of the Special Committee, to investigate the Bureau of Agriculture, Statistics and Mines, be printed.

Adopted March 10, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 11, 1879.

ALBERT S. MARKS,
Governor.

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NUMBER XXVIII.

To have Reports and evidence of Committee under House Resolution, No. 34, printed.

Be it resolved by the General Assembly of the State of Tennessee, That three hundred copies for the use of the Senate, and three hundred copies for the use of the House of Representatives, of the Report and evidence taken by the Joint Committee appointed under House Joint Resolution, No. 34, to investigate rings and frauds, be printed.

Adopted March 7, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 11, 1879.

ALBERT S. MARKS,
Governor.

NUMBER XXIX.

To bring on the election of Registers of the various Land Officers in the State.

Be it resolved by the General Assembly of the State of Tennessee, That the Senate meet the House of Representatives in the hall of the latter, on Tuesday, March 11, 1879, at 11 o'clock, A. M., for the purpose of electing

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Registers of the Land Office, for the several districts, when the terms of office have expired.

Adopted March 10, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 11, 1879.

ALBERT S. MARKS,
Governor.

NUMBER XXX.

Requesting Supreme Courts to sit in Sections.

WHEREAS, The public interest imperatively demands that the dockets of the Supreme Court shall be cleared as soon as possible; and,

WHEREAS, The Legislature is seriously embarrassed by constitutional difficulties in devising a remedy, therefore,

Be it resolved, That the Judges of the Supreme Court are hereby respectfully requested to sit in two sections under such rules and regulations as they may prescribe for themselves.

Adopted March 14, 1879.

J. R. NEAL,
Speaker of the Senate.
H P FOWLKES,
Speaker of the House of Representatives.

Approved March 18, 1879.

ALBERT S. MARKS,
Governor.

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NUMBER XXXI.

To allow Tavel, Eastman & Howell to retain certain copies of Tennessee Reports.

WHEREAS, In order to publish and bring up the arrears of the Supreme Court, the publishers of the reports did advance, five hundred dollars each, to the editors of 10th, 11th and 12th, Heiskell; therefore,

Be it resolved by the General Assembly of the State of Tennessee, That Messrs. Tavel, Eastman & Howell, the publishers of the Reports, be allowed to retain one hundred and seventy copies each, of 10th, 11th and 12th, Heiskell, in payment of said advance.

Adopted March 24, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 26, 1879.

ALBERT S. MARKS,
Governor.

NUMBER XXXII

Tendering the use of the Hall of the House of Representatives to the National Convention of colored men.

Resolved by the General Assembly of the State of Tennessee, That the use of the Hall of the House of Representatives be, and the same is hereby tendered to the National Convention of Colored Men, which is to meet in Nashville, on the 6th day of May, 1879, for the purpose

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of considering the religious education and improvement of the colored men.

Adopted March 10, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 26th, 1879.

ALBERT S. MARKS,
Governor.

NUMBER XXXIII.

Regulating the appointment of Trustees, and provide for the appointment of a Board of Visitors to the University of Tennessee.

Be it resolved by the General Assembly of the State of Tennessee, First, that no further vacancies shall be filled in the Board of Trustees of the University of Tennessee, until the number thereof is reduced by death, resignation or otherwise, below thirty, and that in filling vacancies thereafter up to the number of thirty, preference shall be given to Congressional Districts not represented in the Board, until each Congressional District shall have, at least, one representative on the Board of Trustees.

Second. That the Governor is authorized and requested to appoint a Board of Visitors to the University of Tennessee, composed of nine members, three from each Grand Division of the State, to hold office for four years, whose duty it shall be, at least once a year, to visit and inspect the University, and make report thereof to the Governor. Their services shall be without compensation, but the expenses of their offices shall be paid out of the contingent fund of the University.

Adopted March 24, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 26, 1879.

ALBERT S. MARKS,
Governor.

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NUMBER XXXIV.

Tendering the use of the Supreme Court room to the State Medical Society, in which to hold its meeting.

Resolved by the General Assembly of the State of Tennessee, That the use of the Supreme Court room in the Capitol be, and the same is hereby tendered the State Medical Society of Tennessee, in which to hold its annual meeting in April, 1879.

Adopted March 28, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 31, 1879.

ALBERT S. MARKS,
Governor.

NUMBER XXXV.

Resolved by the General Assembly of the State of Tennessee, That the Comptroller and Treasurer, and all Collectors of Revenue in this State, are hereby instructed not to receive in payment of taxes, bank bills of the Bank of Tennessee, from and after this date.

Adopted March 28, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved, March 31, 1879.

ALBERT S. MARKS,
Governor.

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NUMBER XXXVI.

Resolved by the Senate and House of Representatives of the General Assembly of the State of Tennessee, That the parties desiring to do so may be at liberty, under the approval of the Health Authorities of Memphis or Shelby County, to disinter the body of Hon. Chas. Kortrecht, late Chancellor of the Chancery Court of Shelby County, who died with the yellow fever during the prevalence of that disease last fall, and buried on the private property of a citizen of Bartlett, in said County, where he died, and who insists upon the removal of his remains; *Provided,* that in disinterring his remains and removing the same to Elmwood Cemetery, in said County, every precaution shall be employed that the Health Authorities shall require.

Adopted March 28, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 31, 1879.

ALBERT S. MARKS,
Governor.

NUMBER XXXVII.

WHEREAS, There have been many Receivers of Railroads appointed by the State, and large sums of money come into and passed through their hands; and,

WHEREAS, It is reported that some of them have not itemized their final settlement with the State, and presented itemized vouchers as required by law, showing how the money coming into their hands has been expended; **therefore,**

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Be it Resolved by the General Assembly of the State of Tennessee, That the Governor, Attorney General and Comptroller of the Treasury, be requested and authorized to call such Receivers before them and make settlement with them, in which full and itemized vouchers shall be presented, showing how, when, and for what purpose the moneys coming into the hands of Receivers were expended.

Adopted March 28, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 31, 1879.

ALBERT S. MARKS,
Governor.

NUMBER XXXVIII.

For the protection of shops and property of the State at the Penitentiary.

Resolved by the Senate and House of Representatives, That the Inspectors of the Penitentiary are authorized to contract for fire engine, pipe and hose, to protect against fire, the Penitentiary buildings and property, the whole cost not to exceed three thousand dollars, to be paid for out of the rental of the Penitentiary and at the expense of the State.

Adopted March 28, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 31, 1879.

ALBERT S. MARKS,
Governor.

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NUMBER XXXIX.

Relative to a Portrait of Dr. O. D. Bartholomew.

WHEREAS, It has been represented to this General Assembly, by Mr. W. E. Ladd, that the friends of Dr. O. D. Bartholomew, who left his home in Middle Tennessee and went to Memphis, and there died of yellow fever, and whose death furnishes one of the noblest cases of self-sacrifice, have had painted a life-sized portrait of him, which they desire to present to the State of Tennessee; therefore,

Resolved, by the General Assembly of the State of Tennessee, That said portrait be, and the same is hereby accepted by this General Assembly, and that the Librarian be requested to give it a place in the State Library.

Adopted March 28, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 31, 1879.

ALBERT S. MARKS,
Governor.

NUMBER XL.

Resolved by the General Assembly of the State of Tennessee, That the Comptroller of the Treasury be directed to give notice to the several railroad companies, of the amount due the State, as shown in exhibits A, B, C and D, accompanying the report of the joint select committee on revenue, and that he be instructed to request each of them, through their officers, to come forward and

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make settlement at once, and that the Comptroller be required to report the result to the next General Assembly.

Adopted March 31, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved March 31, 1879.

ALBERT S. MARKS,
Governor.

NUMBER XLI.

Concerning Ben Lomond College.

Resolved, That the Comptroller of the Treasury be instructed to report to the next General Assembly, what amount (if anything) is due the Trustees of Ben Lomond College in Warren County, to the end that an appropriation may be made for its payment.

Adopted April 1, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved April 1, 1879.

ALBERT S. MARKS,
Governor.

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HOUSE JOINT RESOLUTIONS.

NUMBER I.

Be it resolved by the General Assembly of the State of Tennessee, That a Joint Committee consisting of three (3) members upon the part of the House, and two (2) upon the part of the Senate be appointed to prepare joint rules for the government of the two when acting in conference, whether in convention, by Committee or otherwise.

Adopted January 8, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved January 28, 1879.

ALBERT S. MARKS,
Governor.

NUMBER II.

Be it resolved by the General Assembly of the State of Tennesseee, That this General Assembly meet in convention in the Hall of Bepresentatives on the 18th day of January, at 11 o'clock a. m., and proceed to the election of Treasurer and Comptroller of the Treasury, and that the election of said officers, be held in the order named herein.

Adopted January 11, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved, January 14, 1879.

JAMES D. PORTER,
Governor.

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NUMBER III.

Resolved by the House of Representatives, the Senate Concurring, That a Committee of three from the House and two from the Senate be appointed to notify the Governor, of the organization of the Forty-first General Assembly, and to invite the transmission of any comunications he may have to make.

Adopted January 13, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved, January 13, 1879.

JAMES D. PORTER.
Governor.

NUMBER IV

Resolution to compare vote for Governor.

Resolved by the General Assembly of the State of Tennessee, That the Senators and members of the House of Representatives of the Forty-first General Assembly of the State of Tennessee, meet in the Hall of the House of Representatives on Monday, the 13th day of January, 1879, at 11 o'clock, for the purpose of counting and comparing the vote cast in the election for Governor, held in the State of Tennessee on the first Tuesday after the first Monday of November, 1878.

Adopted January 13, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved, January 13, 1879.

JAMES D. PORTER.
Governor.

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NUMBER V.

Resolved by the General Assembly, That a Commitee of five on the part of the House and three on part of the Senate be appointed by the speakers, respectively thereof to devise some means to get clear of the immense amount of litigation in the Supreme Court, and that said Committee report a bill for that purpose.

Adopted January 13, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved, January 14, 1879.

JAMES D. PORTER,
Governor.

NUMBER VI.

Be it resolved by the General Assembly of the State of Tennessee, That our Senators and Representatives in Congress be requested to use all honorable means to so modify the tariff regulations as to remove the tariff now imposed on quinine, and that the Secretary of State be directed to furnish each of our Senators and Representatives in Congress with a copy of this resolution.

Adopted March 13, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved, January 14, 1879.

JAMES D. PORTER.
Governor.

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NUMBER VII.

WHEREAS, during the late unparallelled calamities, which have afflicted a large portion of our State, we have been met by charities munificent and unbounded from the people of our sister States and Territories, as well as from our friends in the old world; therefore,

Be it resolved by the General Assembly of the State of Tennessee, That the thanks of the people of this State be and the same are hereby tendered to the generous people of this entire Country, and of the Old World for their cordial sympathy and prompt and noble benefactions to the afflicted and distressed people of our State during the late terrible epidemic.

Resolved, That the Secretary of State be requested to transmit copies of these resolutions to the Governors of the several States, and Territories of this Union, with a request that they present the same to their respective Legislatures when convened.

Resolved, That without intending to recognize it as a precedent for the use or application of public funds, otherwise than as expressly provided by law, the General Assembly deems proper to express its approval under the special circumstances of the action of the State Treasurer, under the direction of the Governor, in the timely and efficient aid extended to that portion of our State that was stricken by the dreadful scourage.

Adopted January 14, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved, January 15, 1879.

JAMES D. PORTER,
Governor.

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NUMBER VIII.

WHEREAS, The Supreme Court of the United States in the case of Keith v. Clark, involving the liabilities of the State of Tennessee to receive the "new issue" notes of the bank of Tennessee for taxes, has decided of the issues presented in that case, that the State is liable, and has remanded said case to the April term next of the Supreme Court of Tennessee at Jackson; and,

WHEREAS, J. B. Heiskell, an attorney for the State, appointed by the Governor, reports that the decision of the Supreme Court of the United States leaves open the defense that said "new issue" was in the aid of the war between the States; therefore,

Be it resolved by the General Assembly of the State of Tennessee, That a committee of three on the part of the House and three on the part of the Senate be appointed by the Speakers thereof whose duty it shall be to investigate the validity of the said "new issue," as well as the status of the suit remanded to the Supreme Court of the State, and report by bill or otherwise at the earliest day practicable what ought to be done in the matter, if anything, for the best interest of the State.

Adopted January 14, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved, January 15, 1879.

JAS. D. PORTER.
Governor.

NUMBER IX.

WHEREAS, Under Section —— of the Code it is made an offence punishable by imprisonment in the Penitentiary not less than two years nor more than ten years, for

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any person to corruptly promise or give to any member of the General Assembly any gift, gratuity or other thing of value with intent to influence said member's acts, opinions, decisions or judgment on matters which may be pending, or which may be by law brought before said member in his official capacity.

WHEREAS, It has been currently reported for years that corrupt practices have occurred in connection with what is known as the Penitentiary Ring, and other rings, whereby the interest of the State has suffered and public morality been outraged; and,

WHEREAS, it is openly charged that in order to influence legislation in the interest of said rings, "lobbyist" have corruptly offered to bribe and influence the votes of members in matters deeply and vitally affecting the interest of the State; and,

WHEREAS, It is alleged with the strongest show of plausibility, that in pushing certain measures through, notably, the funding bill, the railroad tax bill and the measures affecting the Torbett issue, corrupt influence was brought to bear by notorious lobyists, thereby increasing the debt of an already tax-burdened people; and,

WHEREAS, In matters so deeply affecting the welfare and fair fame of the State it is important that rascality and corruption be unearthed, and the perpetrators brought to punishment; therefore,

Be it resolved, That a special committee of five be appointed upon the part of the House and three upon the part of the Senate with power to send for persons and papers, and make a full, thorough and searching investigation of the subject in all its bearings, and report at as early a day as possible.

Adopted January 14, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved, January 15, 1879.

JAS. D. PORTER,
Governor.

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NUMBER X.

WHEREAS, We have received with deep regret the melancholy tidings of the deaths of two of our most noble and philanthropic citizens in the persons of Dr. Henry Bethshears and Major Butler P. Anderson, Trustees of the Hospital for the Insane; and,

WHEREAS, In the message of his Excellency Goverernor James D. Porter, to the Forty-first General Assembly of Tennessee, he has testified to the zeal and efficient services rendered to the unfortunate subjects of the Insane Asylum; and,

WHEREAS, In the person of Dr. Bethshears, who ever stood to his post of duty, ready at all times to tender his services in relieving unfortunate and suffering humanity, until he became a subject of protracted and exhaustive disease, and died at his home in the midst of sorrowing friends, who are ever ready to testify to his noble qualities as a gentleman and philanthropist; and,

WHEREAS, In the person of Major Butler P. Anderson, who, not content with his noble and generous deeds in the daily walks of life, and the numerous acts of the most disinterested and munificent charities, when the late fearful and disastrous epidemic which not only scourged our own, but our sister Southern States, he bravely breasted the storm of pestilence, dispensing gratuitous services to the poor and helpless victims of the fell destroyer of human life and happiness, until he fell a sacrifice at Grenada, Mississippi, to the dreadful pestilential scourge; therefore,

Be it resolved by the General Assembly of the State of Tennessee, That in the deaths of these noble and charitable citizens, we deplore the loss of such benefactors of our race, whose names deserve to be held in perpetual and grateful memory, not alone by those who have been the recipients of their charities and services, but by all mankind, who have been blessed by their example.

Be it further resolved, That this preamble and resolution be spread upon the Journal of the House in remembrance of their moral worth and disinterested charities,

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and that a copy be sent to the families of the deceased.

Adopted January 14, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved, January 15, 1879.

JAS. D. PORTER,
Governor.

NUMBER XI.

Resolved by the General Assembly, That a committee of three be appointed by the Speaker of the House and two by the Speaker of the Senate to conduct the inauguration ceremonies of the Governor elect.

Adopted January 14, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved, January 16th, 1879.

JAS. D. PORTER,
Governor.

NUMBER XII.

WHEREAS, His Excellency Governor James D. Porter, in his message informs this General Assembly that "the Comptroller's books have for years carried an outstanding warrant account which it is believed has no existance, and there is no doubt that is the result of an error of calculation; and,

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WHEREAS, The amount involved in the error referred to is a little more than ninety-five thousand dollars, and is a matter of importance, which should be properly investigated by this General Assembly; therefore,

Be it resolved by the General Assembly of the State of Tennessee, That a committee of three on the part of the House and two on the part of the Senate be appointed, whose duty it shall be to carefully examine the books and papers belonging to the Comptroller's office and ascertain every fact connected with said error if possible, and report the same to this General Assembly as soon as possible.

Adopted January 15, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved, January 16, 1879.

JAS. D. PORTER,
Governor.

NUMBER XIII.

WHEREAS, The House of Representatives of the Forty-fifth Congress of the United States did, on the 19th day of June, 1878, pass a bill, No. 4,234, to provide that all pensions on account of death or wounds received, or disease contracted in the service of the United States, during the late war between the States, which have been granted or which shall hereafter be granted, shall commence from the date of death or discharge from the service of the United States, and for the payment of the arrears of pensions and other purposes; and,

WHEREAS, said bill is now pending in the Senate of the United States; and,

WHEREAS, Many citizens of the State of Tennessee are interested in the passage of said bill into a law; therefore,

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Be it resolved by the General Assembly of the State o Tennessee, That our Senators in Congress be, and they are hereby instructed to use their influence to secure the passage of said bill into a law.

SEC. 2. *Be it further resolved,* That the Secretary of State be directed to furnish to each of our Senators in Congress, a copy of this resolution.

Adopted January 15, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved January 16, 1879.

JAS. D. PORTER,
Governor.

NUMBER XIV.

WHEREAS, In the enforcement of the Revenue Laws of the General Government the right to arrest persons, and search houses without warrant, and to seize and destroy private property without authority of law, has been claimed and wantonly exercised by many revenue officials and raiders throughout the State; and,

WHEREAS, Such conduct is contrary to the Constitution, and subversive of the principles of free government.

Be it resolved by the General Assembly of the State of Tennessee, That our Senators and Representatives in Congress, are requested to use all honorable means to secure the passage of such laws, as are necessary to enforce the Constitutional provisions, and protect the rights of citizens against such unlawful arrests, searches, seizures, and destruction of property.

Adopted January 16, 1879.

H. P. FOWLKES.
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved January 20, 1879.

ALBERT S. MARKS,
Governor.

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NUMBER XV.

WHEREAS, It is the duty of Trustees of the University of East Tennessee, to establish an Agricultural College, so as strictly to conform with the Congressional enactment making the appropriation; and,

WHEREAS, The Congressional Act requires the fund hereby appropriated, shall be used only for Agricultural and Mechanical schools; and,

WHEREAS, It has been reported that said East Tennessee University has not, and is not complying with the Act donating the fund, but have used the income arising from this endowment for other purposes not warranted by said law; therefore,

Resolved, That a joint committee of two on the part of the Senate and three on the part of the House, be appointed as a Committee of Investigation, to inquire into the condition, management, and practice of said University, especially the Agricultural and Mechanical Department of said school, and whether the money is used and paid out according to the Act of Congress and the Act of the General Assembly of Tennessee, establishing an Agricultural and Mechanical College, and said committee shall have all the powers and rights, and perform all the duties required of the usual Legislative Committee, appointed to visit the East Tennessee University, and shall report fully the condition of the same.

Resolved, That the committee be required to make the investigation as early as practicable, and shall have power to examine books, and send for persons and papers for this purpose, and report to this General Assembly.

Adopted January 16, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.

J. R. NEAL,
Speaker of the Senate.

Approved, January 20, 1879.

ALBERT S. MARKS,
Governor.

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NUMBER XVI.

Resolved by the General Assembly of the State of Tennessee, That no compromise or adjustment of the State debt shall be made, which provides that coupons be made receivable for taxes.

Adopted January 16, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved, January 20, 1879.

ALBERT S. MARKS,
Governor.

NUMBER XVII.

WHEREAS, It is asserted by the Governor in his message, read before the Senate and House of Representatives of the Forty-first General Assembly, of the State of Tennessee, on the 17th day of January, 1879,

That the facts with regard to the issuance of bonds to insolvent roads, subsequently officially developed in connection with the Journals of the two Houses, show that appropriations were refused unless the members were paid to make them,

It appears that bonds were sold at a large discount, to raise money to pay members to vote further appropriations,

It appears that with the proceeds of bonds so sold, a minister of the Gospel was employed to manipulate members of the Legislature, etc.; and,

WHEREAS, So grave a charge emanating from so high

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a source as the Governor of the State, demands our attention; and,

WHEREAS, In its present attitude, it cast a cloud over the reputation of all the members of the General Assembly referred to; and,

WHEREAS, This General Assembly is neither inclined to screen the guilty nor to see obloquy cast upon the innocent; and,

WHEREAS, The exposure of bribery and corruption is ever commendable; therefore,

Be it resolved by the General Assembly of the State of Tennessee, That the Governor be, and he is hereby requested to lay before the Senate and House of Representatives of the Forty-first General Assembly, of the State of Tennessee, all the papers and documents in his possession, establishing said charge, (if not inconsistent with the public welfare).

Be it further resolved, That the Governor be, and is hereby further requested to communicate to this General Assembly, any and all evidences of bribery and corruption not documentary, in his possession, which may assist the General Assembly in investigating the regularity and irregularity of the issuance of the bonds referred to.

Adopted January 21, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved January 23, 1879.

ALBERT S. MARKS,
Governor.

NUMBER XVIII.

Resolved by the General Assembly of the State of Tennessee, That a committee of five upon the part of the House and three upon the part of the Senate, be appointed by the respective Speakers, thereof, to investigate the

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State debt in all its relations and bearings, in compliance with suggestions contained in message of the Governor, A. S. Marks, and report by bill or otherwise to the General Assembly of the State, the earliest practical moment the result of said investigation.

Be it further resolved, That the said committee shall have power to send for books and papers, compel the attendance of witnesses, and make such publications as may be necessary to accomplish the purpose of said investigation.

Be it further resolved, That the said committee is herein empowered to sit in session so long as it may be necessary, to carry out the spirit of these resolutions.

Adopted January 22, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved January 23, 1879.

ALBERT S. MARKS,
Governor.

NUMBER XIX.

WHEREAS, A State tax of from twenty to sixty cents on the hundred dollars of the assessed value of the property of the tax-payers of the State, and privilege tax has been collected ; and,

WHEREAS, The solvent railroads have promptly paid the interest on all bonds of the State issued to them under the internal improvement Act of 1852, and subsequent Acts ; and,

WHEREAS, Information is furnished this General Assembly by the Governor, through his message, that only three instalments of interest have been paid on the bonded debt for the past ten years ; and,

WHEREAS, A tax of only ten cents on the assessed value of property of the State for the past two years, wtth the privilege tax and income from other sources to the

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State Treasury, has been ample to defray the expenses of the State Government; therefore,

Be it resolved by the General Assembly of the State of Tennessee, That a committee of three on the part of the House, and two on the part of the Senate, be appointed, with full power to send for persons and papers, and make a thorough investigation of how and for what purpose the public fund has been used or expended, from the year 1865 to the year 1878, inclusive, and report the same to this General Assembly.

Adopted January 23, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved January 25, 1879

ALBEBT S. MARKS,
Governor.

NUMBER XX.

WHEREAS, The yellow fever plague recently prevailing in the Southern States, with frightful malignity and mortality, following the great water courses and railroad thoroughfares into and north of this State, carrying off over five thousand people in Shelby County alone, extending as far east as Chattanooga, a healthy point, (1100) eleven hundred feet above the level of the sea, thus upsetting former theories in regard to altitude, and spreading devastation and terror in various portions of this and adjoining States never before visited by the epidemic; and,

WHEREAS, States and cities have been powerless to enforce quarantine effectively, and to prevent the introduction of yellow fever from abroad at certain seasons; therefore,

Be it resolved by the House of Representatives of Ten-

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nessee the Senate concurring, That our Senators in the United States Congress are instructed, and our Representatives in the lower House of Congress, are requested to favor and support the passage of a law, establishing a national quarantine under proper naval, medical and civil officers, which shall be sufficiently rigid to exclude yellow fever and other epidemic diseases, and yet protecting and fostering our maritime commerce as far as possible, without endangering public health.

Adopted March 24, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved January 25, 1879.

ALBERT S. MARKS,
Governor.

NUMBER XXI.

Resolved by the General Assembly of the State of Tennessee, That the Senate meet the House of Representatives in the Hall of the latter, on the 30th day of January, for the purpose of electing a State Librarian.

Adopted January 25, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved January 28, 1879.

ALBERT S. MARKS,
Governor.

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NUMBER XXII.

Resolved by the General Assembly of the State of Tennessee, That a Committee of three on the part of the House, and three on the part of the Senate, be appointed by the Speakers, to be known as the Nashville University and State Normal College Committee.

Said Committee shall take into consideration that part of the Governor's message which relates to the State Normal College, now using the building and the funds of the Nashville University. Said Committee shall ascertain and report what real estate since the year 1875, and what funds of any kind have been given or proposed to be given to the Institution, now known as the Nashville University, and what disposition has been made of the same and whether such disposition was legal, and within the power of the Trustees to make. They shall also ascertain when the said Institution became a University, and since that time what has been the salaries of its offices and teachers, what the number of students in annual attendance, and the number of graduates each year.

The said Committee are not to inquire into the affairs of the present Medical College, now conducted with said University, farther than to ascertain if the Trustees of the said, had the power to make such contracts as those by which said Medical College is conducted in the buildings once belonging to, and still, we suppose, the property of the said University.

And the said Committee shall inquire into the history of the present school, known as the State Normal College, and who have been, and who are the teachers, and what are their salaries, and what the duties they are now discharging, and also, they shall inquire into the utmost detail of the management of the said College, who appoints the teachers, dispenses the funds, fixes salaries, to whom the teachers are accountable, who selects the text books, etc.; by what funds the College is supported, how many pupils in attendance each year, how many graduates, and whether the course of study there, is such as is demanded by the present condition of the public schools of Tennessee.

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In a word, the General Assembly seek by this Committee, to know all the facts needful to be known, before they, in accordance with the Governor's message, take this College under their fostering care, and appropriate to its support money belonging to the people of the State of Tennessee, and attempt to perpetuate the same as a part of the Nashville University.

Said Committee shall have free access to the books, accounts, circulars and correspondence, of the Trustees of the Nashville University, and the State Board of Education which they, the Committee, may deem helpful to them in complying with these instructions of the General Assembly as found in this resolution, and shall have power to send for persons and papers; said Committee will report early as practicable.

Adopted January 25, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives
J. R. NEAL,
Speaker of the Senate.

Approved January 28, 1879.

ALBERT S. MARKS,
Governor.

NUMBER XXIII.

Resolved by the General Assembly of the State of Tennessee, That 200 copies of the Roster of the House, and 100 copies of the Roster of the Senate, be printed for the use of the members of their respective bodies.

Adopted January 28, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved January 29, 1879.

ALBERT S. MARKS,
Governor.

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NUMBER XXIV.

WHEREAS, The Act of March, the 4th, 1875, creating a Bureau of Agriculture, Statistics and Mines, for this State, provides for a salary of $3,000 per annum, to be paid the Commissioner of said Bureau and necessary traveling expenses, not to exceed $800 per annum, and a salary of $1,200 per annum, to a Clerk for said office or Bureau; and,

WHEREAS, said Act does not specify any definite amount of time, the said Commissioner shall devote annually to the prescribed duties of said Bureau, nor to specify his time and services in any proportion to the several duties imposed upon him, or to the several interests intended to be promoted by the Bureau, while many different interests not affecting the different sections of the State or the various callings and avocations of the people of the State intended to be benefitted by the Bureau alike, are placed in charge of said Bureau; and,

WHEREAS, Said Act does not require said Commissioner to take an oath of office or even to render accounts of the expenditures and the disbursements of the funds, placed at his disposal, to be made under oath; and,

WHEREAS, There is no provision in said Act requiring the General Assembly to investigate and audit the accounts of the disbursements of said department of the State to see how said Commissioner has discharged his duties under said Act, and whether or not he has properly expended the funds disbursed by him; therefore,

Be it resolved by the General Assembly of the State of Tennessee, That a Committee of three upon the part of the House, and two on the part of the Senate, be appointed to investigate fully the administration of said Bureau, as to how the Commissioner has discharged the duties of the office, how and for what the amount allowed for traveling expenses have been expended, how much of the time a clerk for said office, has been employed, and at what price per month or per annum, what amount of funds have been drawn out of the Treasury for said office, and all other matters and things pertaining to the proper administration of the said Bureau.

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Resolved further, That said Committee have power to send for persons and papers, administer oaths, take testimony, etc., if necessary, and that said Committee report result of said investigation to this General Assembly, at as early a day as practicable.

Adopted January 29, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved January 31, 1879.

ALBERT S. MARKS,
Governor.

NUMBER XXV.

Resolved, That a Committee of five upon the part of the House, and two upon the part of Senate, be appointed to inquire into and report fully the condition of the Bank of the State of Tennessee and its branches, and in what manner the Trustee or Receiver of said Bank, has managed and controlled the same.

Adopted January 30, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved February 14, 1879.

ALBERT S. MARKS,
Governor.

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NUMBER XXVI.

Resolved by the General Assembly of the State of Tennessee, That the Superintendent of the Capital be, and he is hereby instructed, to have and keep the United States flag floating upon the Capitol during the hours when either House may be in session.

Adopted February 13, 1879.

H. P. FOWLKES,
Speaker of the House of Represntatives.
J. R. NEAL,
Speaker of the Senate.

Approved February 14, 1879.

ALBERT S. MARKS,
Governor.

NUMBER XXVII.

Resolved by the General Assembly of the State of Tennessee, That 2,000 copies of the report of the State Superintendent of Public Instruction, which is now ready for the press, be ordered by this body to be printed for its use and for distribution.

Adopted February 15, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved February 20, 1879.

ALBERT S. MARKS,
Governor.

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NUMBER XXVIII.

WHEREAS, It has been reported that many of the books belonging to the State Library have been taken from the same and not returned, and that they are said to be scattered throughout various parts of the State; therefore,

Be it resolved by the 41*st General Assembly of the State of Tennessee,* That a Committee of two upon the part of the House and one upon the part of the Senate, be appointed to investigate the condition of the State Library and report in full in regard to its condition, at their earliest convenience.

Adopted February 20, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved February 22, 1879.

ALBERT S. MARKS,
Governor.

NUMBER XXIX.

WHEREAS, In accordance with time-honored custom, the General Assembly of the State at previous sessions, have formerly visited the estimable widow of the late President James K. Polk, in token of respect to herself and to the memory of her illustrious husband, whose remains repose almost within the shadow of this Capitol, and it is the desire of this, the Forty-first General Assembly, in a similar manner to manifest their respect to our distin-

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guishedcountryman, but upon information received, that she is at present indisposed; therefore,

Be it resolved, That the customary visit be postponed until such time as her health may be restored, and when it will be agreeable to herself to receive the General Assembly.

Be it further resolved, That in her temporary illness, the sympathies of the members of this General Assembly are most respectfully tendered, with sincere wishes for her speedy recovery.

Adopted February 20, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved February 24, 1879.

ALBERT S. MARKS,
Governor.

NUMBER XXX.

Be it resolved by the General Assembly of the State of Tennessee, That the Comptroller be and he is hereby instructed and requested to prepare and furnish for each House, as early as practicable, an itemized account of necessary expenditures for the next two years.

Adopted February 20, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved February 22, 1879.

ALBERT S. MARKS,
Governor.

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NUMBER XXXI.

Be it resolved by the General Assembly of the State of Tennessee, That the Committee appointed to investigate the validity of the "New Issue," under resolution No. 33, be empowered to send for persons and papers in making their investigation.

Adopted February 25, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved February 27, 1879.

ALBERT S. MARKS,
Governor.

NUMBER XXXII.

To our Senators and Representatives in Congress, requesting them for the relief of the people.

WHEREAS, Throughout our entire country the value of real estate has depreciated, the industries of the country are paralyzed, trade depressed, business, incomes and wages reduced, unparalleled distress inflicted upon the masses of the people; and,

WHEREAS, This state of things has been brought about by legislation in the Congress of the United States, in the interest of money lenders and bondholders, whereby an interest-bearing public debt has become a curse to the people, out of which have arose monopolies of various kinds, including the present ruinous system of National

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Banks, and the contraction and resumption policy, which are destructive of public liberty and ruinous to the welfare of the people; therefore,

Be it resolved by the General Assembly of the State of Tennessee, 1. That our Senators and Representatives in the Congress of the United States be requested to do all in their power to procure by legislation the retirement of the National Bank issue, and the issuance by the Government of legal tender paper money, made by law recievable for all dues, public and private, including duties on imports, as well as the principal and interest on the bonds of the United States.

2. That they be requested to oppose the issuance of any more United States bonds, of any kind or class, either to borrow gold or silver for redemption or any other purpose, whereby the money of the country can be absorbed and draw interest in idleness, to the detriment and unnecessary expense of the people.

3. That they be requested to vote for such measures as will bring about at an early day the retirement of the issues of the National Banks, and the issuance by the Government ALONE the money of the country, coupled with such legislation as will protect the same in the future as full legal tenders, equal at all times in value to gold and silver dollars, in payment of all debts, public and private, and of said money an adequate amount to the full employment of labor, a fair and equitable distribution of its products, and for the requirements of business, and regulating its volume by wise and equitable provisions of law, so that the rate of interest will secure to labor its just reward; and,

4. That they also be requested to procure in Congress, at as early a day as possible, the passage of such laws that will exempt no species of private property from bearing its just share of the public burthens, and that will tax Government bonds and money precisely as other property.

Adopted February 27, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.

J. R. NEAL,
Speaker of the Senate.

Approved March 5, 1879.

ALBERT S. MARKS,
Governor.

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NUMBER XXXIII.

Resolved by the General Assembly, That the report of the Committee on the State debt be received, and there be printed 7,500 copies for the use of the House, and 2,500 copies for the use of the Senate, of the report of the Committee on the State debt, together with the evidence taken before said Committee.

That the Committee be discharged, and that the thanks of the General Assembly are hereby tendered to the Committee for the faithful performance of the arduous and responsible duty devolving upon it.

Adopted March 1, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 5, 1879.

ALBERT S. MARKS,
Governor.

NUMBER XXXIV.

Supplying vacancies in the Board of Trustees of East Tennessee University.

WHEREAS, The charter of East Tennessee University provides, that upon the death, resignation or removal from the State of any of the Trusteess of said Institution, the vacancy thereby occasioned shall be supplied by the remaining Trustees appointing some other person, which appointment shall remain untill the expiration of the next term of the General Assembly, within which time the General Assembly shall supply such vacancy; and,

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WHEREAS, It appears from a certified copy of the record of the proceedings of said Board of Trustees, that on the 12th of June, 1877, Moses White was elected by the Board of Trustees of East Tennessee University to fill the vacancy in the Board occasioned by the death of William G. Brownlow. That on the 18th of said month and year, William B. Reese was elected to the vacancy in the Board occasioned by the death of Joshua B. Frierson. That on the 5th of July, 1877, W. C. Whitthorne was elected to fill the vacancy in said Board occasioned by the removal from the State of William Bosson, and that on June 18th, 1878, James Comfort was elected to fill the vaeancy in the Board occasioned by the removal from the State of Rufus M. McClung; and that on the 30th of January, 1879, Samuel B. Luttrell was elected to fill the vacancy occasioned by the death of James C. Luttrell. Robt. Craighead was elected to fill the vacancy occasinned by the death of R. J. Wilson, and J. B. Killebrew was elected to fill the vacancy in the Board occasioned by the resignation of Hon. Jno. Trimble; therefore,

Resolved by the General Assembly of the State of Tennessee, That Moses White, William B. Reese, W. C. Whitthorne, James Comfort, Samuel B. Luttrell, Robt. Craighead and J. B. Killebrew, having in conformity to law been elected Trustees of East Tennessee University, by the Board of Trustees of said Institution, to supply vacancies in said Board, that said elections are hereby ratified and confirmed, and that, the said parties be and are hereby invested with full power and authority as Trustees of said Institution.

Adopted March 5, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 10th, 1879.

ALBERT S. MARKS,
Governor.

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NUMBER XXXV.

Be it resolved by the General Assembly of the State of Tennessee, That the use of the Hall of the House of Representatives is hereby granted to the Supreme Counsel of the Catholic Knights of America on the ——— day of July, 1879.

Adopted March 13, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 14, 1879.

ALBERT S. MARKS,
Governor.

NUMBER XXXVI.

WHEREAS, Dr. J. Berrien Lindsley and Dr. E. L. Drake have for many years been laboriously engaged in compiling an elaborate history of the State of Tennessee from its admission into the Federal Union to the present day, including its civil, political, commercial, industrial, religious, literary and military annals; and,

WHEREAS, This work will supplement the "Annals of Tennessee," by J. G. M. Ramsey, M. D., and in some measure supply the great loss occasioned by the destruction of his second volume, which brought the history of Tennessee down to the close of Polk's administration; therefore,

Be it it resolved by the General Assembly of the State of Tennessee, That the Secretary of State be requested to

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furnish them with opportunities for examining the State archives, and that the State Librarian be requested to furnish such facilities as are needful for the due execution of this important work; *Provided*, that no book, map or chart or other document shall be carried out of the State library for this purpose.

Adopted March 14, 1879.

J. R. NEAL,
Speaker of the Senate.
H. P. FOWLKES,
Speaker of the House of Representatives.

Approved, March 17, 1879.

ALBERT S. MARKS,
Governor.

CHAPTER XXXVII.

House Joint Resolution authorizing Secretarty of State to exchange Reports of Supreme Court.

WHEREAS, Section 3960 of the Code requires the Secretary of State to furnish the State Library, for the use thereof, five copies of each volume of the reports of the decision of the Supreme Court as the same are published, and further requires the Comptroller to deposit with the Secretary of State twenty-five copies of each volume of said reports, to remain in his office subject to the direction of the General Assembly, and also a sufficient number for certain purposes of exchange therein named; and,

WHEREAS, It appears by examination of the State Libaary that there no copies of said reports on hand in the said Library, either for the use thereof or for distribution, except a part of one set, and it further appearing that there is in the custody of the Comptroller a large number of Heiskell's reports, and largely in excess of the needs of the State, and that there are none on hand, of the earlier reports comprised in Cooper's edition; therefore,

Be it resolved by the House of Representatives, the Senate concurring, That the Secretary of State be and he is hereby authorized and directed to make such exchange

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of any of the late volumes of reports now on hand in excess of the needs of the State for Cooper's edition of said reports, as the interest of the State shall, in his judgment, require, said books to be exchanged at their respective market values.

Adopted March 14, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 17, 1879.

ALBERT S. MARKS,
Governor.

NUMBER XXXVIII.

WHEREAS, The members of the House and Senate were kindly permitted to listen to an entertainment by the students of the Fisk University, Thursday the 13th inst.; and,

WHEREAS, We were highly gratified to note the remarkable advancement which their students have made in general culture, and especially in musical culture; therefore,

Resolved by the General Assembly, That we earnestly commend the Institution to the colored people of the State as one of high aim, thorough in its work and ennobling in its influences.

Resolved, That our sincere thanks are extended to the officers and students for the pleasure which we derived from their excellent entertainment.

Adopted March 19th, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 20th, 1879.

ALBERT S. MARKS,
Governor.

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NUMBER XXXIX.

WHEREAS, The members of the present General Assembly of Tennessee, have learned with deep and unfeigned regret that Mrs. Polk, widow of the much lamented James K. Polk, ex-President of the United States, is indisposed to an extent that prevents her from receiving visits of respect from the members collectively; therefore,

Resolved, That the 41st General Assembly of the State of Tennessee, hereby tender Mrs. Polk an expression of deep sympathy for her indisposition and a sincere wish for her early restoration to perfect health, and a hope that she may enjoy the beautiful autumn of her long and honored life yet for many years.

Resolved further, That the Secretary of State furnish Mrs. Polk with a copy of this resolution.

Adopted March 27, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 29, 1879.

ALBERT S. MARKS,
Governor.

NUMBER XL.

Resolved by the Senate and House of Representatives, That the room in the Capitol, heretofore used as a repository for the law books of the State Library, be hereafter appropriated for the use of the Tennessee Historial So-

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ciety, the said law books having been removed to a different room in the Capitol.

Adopted March 27, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved March 29, 1879.

ALBERT S. MARKS,
Governor.

NUMBER XLI.

Resolved, That a Joint Committee of two from the Senate, and three from the House, be appointed to wait upon the Governor and notify him that within a few hours the present General Assembly will adjourn *sine die*, and inquire if he has any further communications to make.

Adopted April 1, 1879.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved April 1, 1879.

ALBERT S. MARKS,
Governor.

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NUMBER XLII.

Be it resolved by the General Assembly of the State of Tennessee, That the 41st General Assembly of the State of Tennessee do adjourn *sine die* Tuesday, April 1, 1879, at 4 o'clock P. M.

H. P. FOWLKES,
Speaker of the House of Representatives.
J. R. NEAL,
Speaker of the Senate.

Approved April 1, 1879.

ALBERT S. MARKS,
Governor.

SECRETARY OF STATE'S OFFICE,

NASHVILLE, TENN., April 24th, 1879.

I, Charles N. Gibbs, Secretary of State for Tennessee, do hereby certify that I have carefully collated the foregoing Acts and Resolutions of the 41st General Assembly of Tennessee, with original copies now on file in my office, and find them correctly printed.

CHAS. N. GIBBS,
Secretary of State.

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CHARTERED CORPORATIONS.

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CORPORATIONS,

Organized under Chapter 142, Acts of 1875, known as the "Charter Act," and Acts amendatory, published herein by direction of Section 20 of said Charter Act.

NAME OF CORPORATION.	County where Registered.	When Registered in Secretary's Office.	In what Book.	No. of Page.
A				
Ætna Academy	Marion	May 31, 1878	Corp. Book, B	283-4
Allison Machine Company	Shelby	Feb. 22, 1877	" " A	398-9
American and Mexican Mining Company	Shelby	June 15, 1878	" " B	294-7
Arnot High School	Hawkins	Aug. 25, 1877	" " A	590-91
B				
Baker's Institution of Learning	Obion	July 3, 1878	" " B	308-9
Baptist Church Third of Nashville	Davidson	Aug. 2, 1876	" " A	303-5
Beersheba Springs Hotel Company	Davidson	June 22, 1875	" " A	58-61
Bell Buckle and Beech Grove Turnpike Co	Bedford	Mch. 6, 1876	" " A	227-38
Bell Buckle and Flatwood Turnpike Co	Bedford	Mch. 2, 1876	" " A	223-6
Bell Buckle and Liberty Gap Turnpike Co	Bedford	Mch. 13 1876	" " A	238-45
Belleville Corporation Association	Crockett	Oct. 19, 1877	" " B	13-15
Bellwood Academy	Macon	Feb 19, 1878	" " B	123
Benovolent Brotherhood	Sumner	Oct. 4, 1876	" " A	316-17
Benevolent Society of Cross Bridges	Maury	Aug. 20, 1878	" " B	353-5
Benevolent Pilgrim Lodge	Giles	June 18, 1875	" " A	51-3
Benton High School	Polk	Dec. 22, 18 7	" " B	67-8
Bethel Institute	Giles	Mch. 28, 1878	" " B	157-60
Bethesda Academy	Wililamson	Dec. 10, 1877	" " B	55-6
Big Valley Academy	Anderson	Jan 26, 1878	" " B	95
Bishopsville Academy	Knox	May 1, 1878	" " B	229-30
Bluff City Building and Loan Association	Shelby	Sept. 24, 1875	" " A	131-38
Bluff City Cotton Mills	Shelby	Dec. 9, 1876	" " A	353-6
Bluff City Cotton Mills, amendment	Shelby	May 5, 1877	" " A	453-4
Bluff City Ins. Co., amendment to Charter of	Shelby	May 13 1878	" " B	229-30
Board of Directors of Anderson Academy	Williamson	May 24, 1877	" " A	466-8
Bolivar Hotel Company	Hardeman	May 17, 1875	" " A	21-22
Bon Aqua Springs Association	Hickman	Sept. 15, 1-75	" " A	118-22
Brentwood School	Williamson	May 4, 1878	" " B	241-4
Briarsville Roy'l Sons & D'ght'rs of the Temple	Davidson	April 23. 1878	" " B	2 4-6
Brick Church Academy	Giles	Dec. 26, 1877	" " B	73-5
Bristol Co-operate Trading Association	Sullivan	Mch. 21, 1879	" " B	481-2
Bull's Gap Male and Female Academy	Hawkins	July 23, 1877	" " A	562
Burritt College, Calliopian Society of	Van Buren	April 25, 1878	" " B	208-10
Butchers' Hide and Melting Association	Shelby	Dec. 12, 1877	" " B	64-5
C				
California Hill Cons'd. Gold and Silver Min Co	Shelby	Oct. 21, 1875	" " A	155-7
Calliopian Society of Burritt College	Van Buren	April 25, 1878	" " B	2 8-10
Calvary Cemetery Association of Shelby Co	Shelby	June 22, 1877	" " A	494-7
Campleaville Academy	Giles	Oct 11, 1877	" " B	7-10
Canawalla Manufacturing and Mining Co	Morgan	Oct. 5, 1877	" " A	627-9
Canfield Orphan Asylum Association of Mem.	Shelby	Dec. 6, 1878	" " B	387-9
Carter's Creek T. P. Extension Co	Maury	May 28, 187	" " B	274-82
Carroll Academy	Wilson	Dec. 14, 1877	" " B	57
Carver, Gin and Machine Co. Memphis	Shelby	July 12, 1878	" " B	324-7
Car Wheel Co, Wrought Iron and Steel	Davidson	Dec. 16, 1975	" " A	189-91
Car Wheel Co, Wrought Iron and Steel	Davidson	Dec. 31, 187	" " A	195-99

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CHARTERED CORPORATIONS.—*Continued.*

NAME OF CORPORATION.	County where Registered.	When Registered in Secret'ry State's Office.	In what Book.			No. of Page.
Cascade Mineral Springs Hotel Company	Davidson	Jan. 27, 1877	Corp.	Book,	A	378-82
Catholic Knights of America	Davidson	July 10, 1877	"	"	A	513-15
Cave Hill Academy	Maury	Aug. 24, 1878.	"	"	B	360-62
Cedar Creek Academy	Washington	April 14, 1879	"	"	B	508-9
Cedar Hill Cemetery	Knox	April 16, 1879	"	"	B	511-14
Centennial Presbyterian Church	Blount	July 16, 1877.	"	"	A	551-2
Central Mississippi Railroad Co	Hardeman	Nov. 6, 1877	"	"	B	22-24
Central Tennessee College, amendment	Davidson	Dec. 13, 1878	"	"	B	393-4
Central Turnpike Company	Davidson	April 13, 1877	"	"	A	431-2
Centre Point Cemetery	Henderson	Feb. 15, 1878	"	"	B	116-17
Chattanooga and Harrison Turnpike Co	Hamilton	Nov. 22, 1875.	"	"	A	172
Chattanooga and Lookout Turnpike Co	Hamilton	Sept. 17, 1875	"	"	A	125-30
Chattanooga and Rossville Turnpike Co	Hamilton	Aug. 21, 1875.	"	"	A	96-106
Chattanooga Band of Hope	Hamilton	May 27, 1875	"	"	A	32-3
Chattanooga Co-operative Co	Hamilton	June 25, 1878	"	"	B	303-4
Chattanooga Iron and Coal Manufacturers' Ass	Hamilton	Oct. 28, 1876	"	"	A	331-34
Chattanooga Medicine Company	Hamilton	Feb. 19, 1879	"	"	B	449-52
Chestnut Grove Farmers' Club	Jefferson	Oct. 2, 1875	"	"	A	158
Chestnut Mound Academy	Smith	Jan. 6, 1879	"	"	B	403
Chickasaw Building and Loan Association	Shelby	July 23, 1877	"	"	A	563-66
Chickasaw Guards of City of Memphis	Shelby	Nov. 30, 1877.	"	"	B	39-41
Church and Spruce Street Railway Co	Davidson	June 20, 1878.	"	"	B	298-302
Church, Presbyterian at Unitia	Loudon	Aug. 11, 1878.	"	"	B	347-50
Citizens' Building and Loan Ass'n of Cl'ksville	Montgomery.	April 24, 1878	"	"	B	200-203
Citizens' Gas Light Company	Hamilton	Aug. 15, 1877.	"	"	A	588-9
Citizens' Memphis and Vicksburg Packet Co	Shelby	July 26, 1877	"	"	A	567-70
Clarksburg Male and Female Academy	Carroll	May 9, 1878	"	"	B	250-1
Clarksville, Good Samaritans of	Montgomery.	Feb. 7, 1877	"	"	A	388-9
Clarksville Tobacco Board of Trade	Montgomery.	July 9, 1878	"	"	B	320-23
Clarksville Water Company	Montgomery.	Jan. 30, 1879.	"	"	B	422-24
Claybrook Academy	Madison	Aug. 28, 1877.	"	"	A	592
Clifton Cement Company	Davidson	Dec. 13, 1875	"	"	A	187-8
Clifton Cement Company	Davidson	Feb. 5, 1876	"	"	A	212-15
Cliosophic Literary Society	Shelby	July 20, 1877	"	"	A	558-60
Coal Creek and New River Railroad Co	Anderson	June 21, 1877.	"	"	A	488-93
Coal Creek Academy	Anderson	April 11, 1879	"	"	B	506
College Grove School-house	Rutherford	Dec. 27, 1877	"	"	B	76-7
Colored Benevolent Society (Fayetteville)	Lincoln	Aug. 29, 1877.	"	"	A	596-8
Columbia and Rock Springs Turnpike Co	Maury	Sept. 11, 1875	"	"	A	109-17
Columbia and Santefee Turnpike Co	Maury	Nov. 8, 1878	"	"	B	371-74
Commercial Bank of Paris	Henry	April 21, 1877	"	"	A	442-4
Concord Male and Female High School	Obion	Jan. 31, 1878	"	"	B	100-101
Congregation, K. K. Adas Israel	Davidson	July 22, 1876	"	"	A	297
Consolidated Coal Company of Tennessee	Knox	Jan. 11, 1879	"	"	B	404-409
Consolidated Coal Company of Tennessee	Knox	Jan. 25, 1879	"	"	B	413-18
Conyersville Male and Female Academy	Henry	Mch. 28, 1878	"	"	B	164-5
Cossetot Mining Co (Memphis)	Shelby	Mch. 13, 1878	"	"	B	148-51
Covington Club of Covington Tenn	Tipton	Oct. 6, 1877	"	"	A	631-33
Crab Orchard Iron Company	Carter	Jan. 20, 1876	"	"	A	206-8
Cross Bridges, Lodge of Sons of Relief	Maury	Sept. 15, 1877	"	"	A	611-13
D						
Daughters of Canaan	Shelby	May 29, 1876	"	"	A	284-5
Daughters of Relief	Maury	Feb. 7, 1878	"	"	B	107-9
Daughters of Zion	Montgomery.	Jan. 31, 1876	"	"	A	209-11
Deep Springs School-house	Anderson	April 10, 1878	"	"	B	186-7
Desoto Building and Loan Association	Shelby	Nov. 26, 1875.	"	"	A	181-4
Dist. G'nd L'dge No. 7, Ind. Ord. Brias Brith.	Shelby	Nov. 19, 1875	"	"	A	166-68
Dowell Town, Male and Female Academy	DeKalb	Mch. 29, 1878.	"	"	B	166-9
Ducktown Branch Railroad Co	Polk	July 6, 1878	"	"	B	310-15
E						
East Tennessee Coal Company	Knox	Nov. 5, 1877	"	"	A	624-6
Ebenezer Chapel Church Society	Davidson	April 3, 1876	"	"	A	256-8
Elmwood Male and Female Institute	Smith	Feb. 22, 1878	"	"	B	194

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CHARTERED CORPORATIONS.—*Continued.*

NAME OF CORPORATION.	County where Registered.	When Registered in Sec'ret'ry State's Office.	In what Book.			No. of Page.
Empire, Clarksville & Nashville R. R. Co	Davidson & Montg'mry	April 3 1878..	Corp.	Book,	B	220-8
Empire Coal Company	Roane	Oct. 3, 1877..	"	"	A	621-4
Equitable Fire Insurance Co., amendment	Davidson	April 16, 1877	"	"	A	436-7
F						
Farmers' and Mechanics' Ass'n of Wayne Co	Wayne	Feb. 9, 1878...	"	"	B	118-15
Fayetteville Benevolent Society	Lincoln	April 23, 1877	"	"	A	447-9
Fayetteville and Petersburg Turnpikke Co	Lincoln	Aug. 16, 1876.	"	"	A	306-12
Flat Rock Academy	Smith	Dec. 24, 1877..	"	"	B	69-73
Fincastle and Powell's Valley School Co	Campbell	July 24, 1878..	"	"	B	341-3
Forest Hill Academy Association	Wilson	Jan. 28, 1879 .	"	"	B	420-1
Forest Hill Male and Female High School	Obion	Feb. 6. 1879...	"	"	B	427-8
Flintville Male and Female Academy	Lincoln	Nov. 21, 1878.	"	"	B	379-81
Franklin and South Harpeth Turnpike Co	Williamson	Feb. 28, 1878..	"	"	B	131-8
G						
German American Building and Loan Ass'n	Shelby	April 12, 1876	"	"	A	263
Germania Club	Shelby	Mch. 27, 1879.	"	"	B	483-5
Giles Co. Ag., Mech'l and Live Stock Ass'n	Giles	Aug. 14, 1877.	"	"	A	585-7
Gladesville Academy	Wilson	Dec. 11, 1877.	"	"	B	60-63
Grand Lodge R. of H. State of Tennessee	Davidson	May 31, 1877..	"	"	A	469-70
Grand Lodge of Relief	Rutherford	May 20, 1878..	"	"	B	267-8
Grain and General Freight Elevator Co	Shelby	Nov. 3, 1875...	"	"	A	159-62
Grange Association of Shelby Co	Shelby	May 1, 1878...	"	"	B	231-4
Grange Warehouse Association of Clarksville	Montgomery.	July 22, 1876..	"	"	A	298-9
Grassy Cove Presbyterian Church	Cumberland	May 24, 1878..	"	"	B	269-70
Guadaloupe y Calvo Mining Co	Shelby	June 18, 1878.	"	"	B	291-4
H						
Hall, District No. 2, Male and Female Acad'my	Lake	Dec. 7, 1878...	"	"	B	388-91
Hampshire Male and Female Academy	Maury	July 10, 1877.	"	"	A	521-2
Hathaway Relief Society	Davidson	Feb. 10, 1876.	"	"	A	216-19
Haysville, Shelby County Incorporation	Shelby	Feb. 5, 1878...	"	"	B	105-106
Herald Publishing Company	Shelby	Oct. 9, 1877 ..	"	"	B	1-3
Hermitage Academy	Rutherford	Dec. 27, 1878..	"	"	B	401-402
Hickory Grove School-house	Rutherford	Nov. 26, 1877.	"	"	B	35-6
Hillsboro Academy	Coffee	Feb. 27, 1879..	"	"	B	463-4
Hillsdale Academy	Macon	Oct. 13, 1877..	"	"	B	11-12
Humphreys' Stock Company	Humphreys	Sept. 3, 1875..	"	"	A	101-104
I						
Immigration, Labor and Real Estate Ass'n	Davidson	May 5, 1875...	"	"	A	11-14
Ind. Ord. Immac., Supt. Grand Lodge of U. S.	Davidson	May 29, 1876..	"	"	A	279-81
Industrial Institute of America	Wilson	April 8, 1876..	"	"	A	261
Irish and American Loan and Building Ass'n	Shelby	Jan. 8, 1877...	"	"	A	364-68
Irish Mutual Benevolent Society	Knox	July 6, 1878...	"	"	B	316.18
Isabella Primary and High School	Polk	Jan. 5, 1878...	"	"	B	87
J						
Jackson Female Aid Society	Madison	Mch. 9, 1878...	"	"	B	147-8
Jackson First Baptist Church	Madison	Dec. 31, 1875..	"	"	A	192-4
Jackson Oil Mills Co	Madison	April 26, 1878	"	"	B	215-16
Jamestown Academy	Fentress	Nov. 12, 1877.	"	"	B	33
K						
Kelso Male and Female Academy	Lincoln	Aug. 9, 1877..	"	"	A	580-82
Kentucky and Tenn. McAdamized Road Co	Hawkins	Jan. 10, 1877..	"	"	A	369-75
Knights of Innisfail, Camp Tara, No 1	Shelby	July 6, 1878...	"	"	B	318-20
Knoxville and Cin. Southern Railway Co	Knox	Nov. 23, 1875.	"	"	A	175-80
Knoxville Fire Insurance Company	Knox	April 4, 1878..	"	"	B	172-7

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CHARTERED CORPORATIONS.—*Continued.*

NAME OF CORPORATION.	County where Registered	When Registered in Sec'ry State's Office.	In what Book.	No. of Page.
Knoxville Fire Insurance Company	Knox	May 8, 1878	Corp. Book, B	245-9
Knoxville Foundry and Machine Company	Knox	Feb. 24, 1879	" " B	458-61
Knoxville Marble and Mining Company	Knox	Aug. 10, 18 7	" " A	583-4
Knoxville Public Library	Knox	Feb. 17, 1879	" " B	446-8
Knoxville Street Railroad Company	Knox	Jan. 5, 1876	" " A	200-204
L				
Lake County Male and Female Academy	Lake	Mch. 4, 1878	" " B	142-4
Landis Manufacturing Company	Bedford	Dec. 8, 1877	" " B	51-54
Lascea Academy, Board of Directors of	Maury	Dec. 28, 1877	" " B	78-81
Lathing, Soap and Oil Refining Company	Shelby	Feb. 19, 1878	" " B	120-22
Leadvale Masonic Academy	Jefferson	Jan. 13, 1879	" " B	410
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Lexington and Nashville R. R. Co	Henderson	July 9, 1878	" " B	330-7
Liberty Academy	Union	April 14, 1879	" " B	509-10
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Liggett's Chapel and Academy	Bedford	Mch. 16, 1878	" " B	154-7
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Salem Academy	Rhea	Dec. 11, 1877	"	"	B	58-9
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STATE OF TENNESSEE,
OFFICE OF THE SECRETARY OF STATE,
NASHVILLE, April 24, 1879.

I, Charles N. Gibbs, Secretary of State for Tennessee, hereby certify the forgoing to be a full and perfect list of Corporations organized under the Acts of the General Assembly for 1875, Chapter 142 and Subsequent Acts, with date of Organization, as appears of record in my office.

CHARLES N. GIBBS,
Secretary of State.

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Railroad Receivers to make settlement	S. J. R.	37	340
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" " Reports for exchange of	H. J. R.	37	373
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